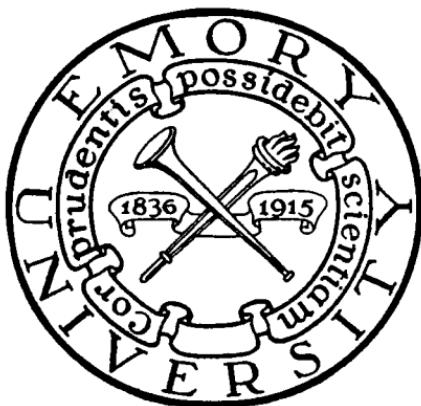




# EXPERIENCES OF A BARRISTER



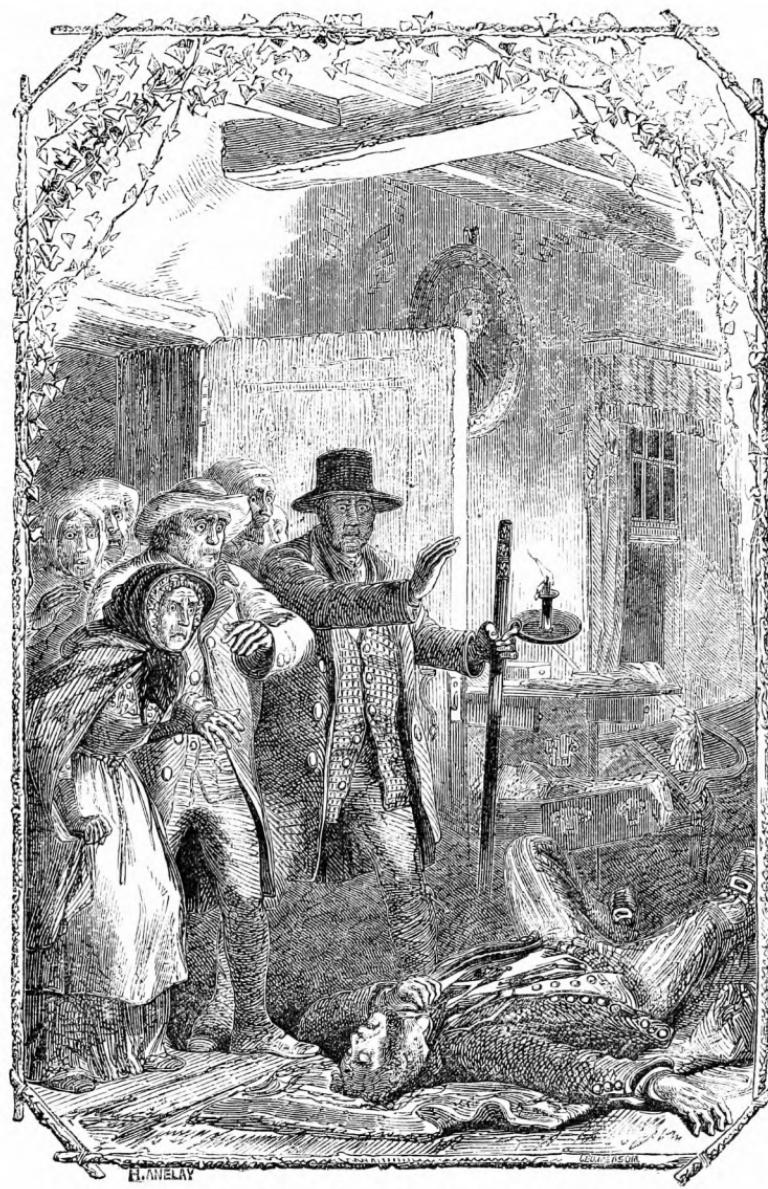
ROBERT W WOODRUFF  
LIBRARY











"A melancholy spectacle presented itself." — p. 34.

THE  
EXPERIENCES  
OF  
A Barrister.  
BY  
S\*\*\* \* \* \* \* \* D.C.L.

"A shipwrecked voyager cast upon an unknown, and, he feared, barbarous shore, presently espying a gallows erected in the distance, knew that he was in a civilised and Christian country."—LA FONTAINE.

L O N D O N :  
J. & C. BROWN & CO., AVE MARIA LANE.  
1856.

LONDON: PRINTED BY W. CLOWES AND SONS, STAMFORD STREET.

## Publishers' Preface.

---

THE following remarkable papers,—faithful transcripts of striking passages in the daily life of an eminent Barrister, are, by permission of Messrs. Chambers, now for the first time published in a complete and connected form ; an advantage which there can be no doubt will at once secure for them the permanent and distinguished position in the world of literature to which their high and varied merits, by common consent, entitle them.

The right of translation is reserved.

*London* 1856.

## C O N T E N T S.

~~~~~

|                                       | PAGE |
|---------------------------------------|------|
| THE MARCH ASSIZE - - - - -            | 7    |
| THE NORTHERN CIRCUIT - - - - -        | 31   |
| THE CONTESTED MARRIAGE - - - - -      | 50   |
| THE MOTHER AND SON - - - - -          | 75   |
| "THE WRIT OF HABEAS CORPUS" - - - - - | 96   |
| ESTHIER MASON - - - - -               | 117  |
| THE MARRIAGE SETTLEMENT - - - - -     | 139  |
| THE SECOND MARRIAGE - - - - -         | 164  |
| CIRCUMSTANTIAL EVIDENCE - - - - -     | 189  |
| "THE ACCOMMODATION BILL" - - - - -    | 217  |
| THE REFUGEE - - - - -                 | 238  |
| THE STEP-FATHER - - - - -             | 262  |
| "LUCILLE BÉRANGER" - - - - -          | 303  |

## *Experiences of a Barrister.*

---

### THE MARCH ASSIZE.

---

SOMETHING more than half a century ago, a person, in going along Holborn, might have seen, near the corner of one of the thoroughfares which diverge towards Russell Square, the respectable-looking shop of a glover and haberdasher named James Harvey, a man generally esteemed by his neighbours, and who was usually considered well to do in the world. Like many London tradesmen, Harvey was originally from the country. He had come up to town when a poor lad to push his fortune, and by dint of steadiness and civility, and a small property left him by a

distant relation, he had been able to get into business on his own account, and to attain that most important element of success in London—"a connection." Shortly after setting up in the world, he married a young woman from his native town, to whom he had been engaged ever since his school-days; and at the time our narrative commences he was the father of three children.

James Harvey's establishment was one of the best frequented of its class in the street. You could never pass without seeing customers going in or out. There was evidently not a little business going forward. But although, to all appearance, a flourishing concern, the proprietor of the establishment was surprised to find that he was continually pinched in his circumstances. No matter what was the amount of business transacted over the counter, he never got any richer.

At the period referred to, shopkeeping had not attained that degree of organisation, with respect to counter-men and cashiers, which now distinguishes the great houses of trade. The primitive till was not yet superseded. This was the weak point in Harvey's arrangements; and not to make a needless number of words about it, the poor man was regularly robbed by a shopman, whose dexterity in pitching a guinea into the drawer, so as to make it jump, unseen, with a jerk into his hand, was worthy of Herr Dobler, or any other master of the sublime art of jugglery.

Good-natured and unsuspicuous, perhaps also not sufficiently vigilant, Harvey was long in discovering how he was pillaged. Cartwright, the name of the person who was preying on his employer, was not a young man. He was between forty and fifty years of age, and had been in various situations, where he had always given satisfaction, except on the score of being somewhat gay and somewhat irritable. Privately, he was a man of loose habits, and for years his extravagances had been paid for by property clandestinely abstracted from his too-confiding master. Slow to believe in the reality of such wickedness, Mr. Harvey could with difficulty entertain the suspicions which began to dawn on his mind. At length all doubt was at an end. He detected Cartwright in the very act of carrying off goods to a considerable amount. The man was tried at the Old Bailey for the offence; but through a technical informality in the indictment, acquitted.

Unable to find employment, and with a character gone, the liberated thief became savage, revengeful, and desperate. Instead of imputing his fall to his own irregularities, he considered his late unfortunate employer as the cause of his ruin; and now he bent all the energies of his dark nature to destroy the reputation of the man whom he had betrayed and plundered. Of all the beings self-delivered to the rule of unscrupulous malignity, with whom it has been my fate to come professionally in contact, I

never knew one so utterly fiendish as this discomfited pilferer. Frenzied with his imaginary wrongs, he formed the determination to labour, even if it were for years, to ruin his victim. Nothing short of death should divert him from this the darling object of his existence.

Animated by these diabolical passions, Cartwright proceeded to his work. Harvey, he had too good reason to know, was in debt to persons who had made him advances ; and by means of artfully-concocted anonymous letters, evidently written by some one conversant with the matters on which he wrote, he succeeded in alarming the haberdasher's creditors. The consequences were—demands of immediate payment, and, in spite of the debtor's explanations and promises, writs, heavy law expenses, ruinous sacrifices, and ultimate bankruptcy. It may seem almost too marvellous for belief, but the story of this terrible revenge and its consequences is no fiction. Every incident in my narrative is true, and the whole may be found in hard outline in the records of the courts with which a few years ago I was familiar.

The humiliated and distressed feelings of Harvey and his family may be left to the imagination. When he found himself a ruined man, I dare say his mental sufferings were sufficiently acute. Yet he did not sit down in despair. To re-establish himself in business in England appeared hopeless ; but America presented itself as a scene where industry might find a reward ;

and by the kindness of some friends, he was enabled to make preparations to emigrate with his wife and children. Towards the end of February he quitted London for one of the great seaports, where he was to embark for Boston. On arriving there with his family, Mr. Harvey took up his abode at a principal hotel. This, in a man of straitened means, was doubtless imprudent; but he afterwards attempted to explain the circumstance by saying, that as the ship in which he had engaged his passage was to sail on the day after his arrival, he had preferred incurring a slight additional expense rather than that his wife—who was now, with failing spirits, nursing an infant—should be exposed to coarse associations and personal discomfort. In the expectation, however, of being only one night in the hotel, Harvey was unfortunately disappointed. Shipmasters, especially those commanding emigrant vessels, were then, as now, habitual promise-breakers; and although each succeeding sun was to light them on their way, it was fully a fortnight before the ship stood out to sea. By that time a second and more dire reverse had occurred in the fortunes of the luckless Harvey.

Cartwright, whose appetite for vengeance was but whetted by his first success, had never lost sight of the movements of his victim; and now he had followed him to the place of his embarkation, with an eager but undefined purpose of working him some further and more deadly mischief. Stealthily he

hovered about the house which sheltered the unconscious object of his malicious hate, plotting, as he afterwards confessed, the wildest schemes for satiating his revenge. Several times he made excuses for calling at the hotel, in the hope of observing the nature of the premises, taking care, however, to avoid being seen by Mr. Harvey or his family. A fortnight passed away, and the day of departure of the emigrants arrived without the slightest opportunity occurring for the gratification of his purposes. The ship was leaving her berth; most of the passengers were on board; Mrs. Harvey and the children, with nearly the whole of the luggage, were already safely in the vessel; Mr. Harvey only remained on shore to purchase some trifling article, and to settle his bill at the hotel, on removing his last trunk. Cartwright had tracked him all day; he could not attack him in the street; and he finally followed him to the hotel, in order to wreak his vengeance on him in his private apartment, of the situation of which he had informed himself.

Harvey entered the hotel first, and before Cartwright came up, he had gone down a passage into the bar to settle the bill which he had incurred for the last two days. Not aware of this circumstance, Cartwright, in the bustle which prevailed, went up stairs to Mr. Harvey's bedroom and parlour, in neither of which, to his surprise, did he find the occupant; and he turned away discomfited. Passing

along towards the chief staircase, he perceived a room of which the door was open, and that on the table there lay a gold watch and appendages. Nobody was in the apartment: the gentleman who occupied it had only a few moments before gone to his bed-chamber for a brief space. Quick as lightning a diabolical thought flashed through the brain of the villain, who had been baffled in his original intentions. He recollects that he had seen a trunk in Harvey's room, and that the keys hung in the lock. An inconceivably short space of time served for him to seize the watch, to deposit it at the bottom of Harvey's trunk, and to quit the hotel by a back stair, which led by a short cut to the harbour. The whole transaction was done unperceived, and the wretch departed unnoticed.

Having finished his business at the bar, Mr. Harvey repaired to his room, locked his trunk, which, being of a small and handy size, he mounted on his shoulder, and proceeded to leave the house by the back stair, in order to get as quickly as possible to the vessel. Little recked he of the interruption which was to be presented to his departure. He had got as far as the foot of the stair with his burden, when he was overtaken by a waiter, who declared that he was going to leave the house clandestinely without settling accounts. It is proper to mention that Mr. Harvey had incurred the enmity of this particular waiter in consequence of having, out of his slender resources,

given him too small a gratuity on the occasion of paying a former bill, and not aware of the second bill being settled, the waiter was rather glad to have an opportunity of charging him with a fraudulent design. In vain Mr. Harvey remonstrated, saying he had paid for everything. The waiter would not believe his statement, and detained him "till he should hear better about it."

"Let me go, fellow; I insist upon it," said Mr. Harvey, burning with indignation. "I am already too late."

"Not a step, till I ask master if accounts are squared."

At this moment, while the altercation was at the hottest, a terrible ringing of bells was heard, and above stairs was a loud noise of voices, and of feet running to and fro. A chambermaid came hurriedly down the stair, exclaiming that some one had stolen a gold watch from No. 17, and that nobody ought to leave the house till it was found. The landlord, also, moved by the hurricane which had been raised, made his appearance at the spot where Harvey was interrupted in his exit.

"What on earth is all this noise about, John?" inquired the landlord of the waiter.

"Why, sir, I thought it rather strange for any gentleman to leave the house by the back way, carrying his own portmanteau, and so I was making a little breeze about it, fearing he had not paid his bill,

when all of a sudden Sally rushes down the stair and says as how No. 17 has missed his gold watch, and that no one should quit the hotel."

No. 17, an old, dry-looking military gentleman, in a particularly high passion, now showed himself on the scene, uttering terrible threats of legal proceedings against the house for the loss he had sustained.

Harvey was stupefied and indignant, yet he could hardly help smiling at the pother. "What," said he, "have I to do with all this? I have paid for everything; I am surely entitled to go away if I like. Remember, that if I lose my passage to Boston, you shall answer for it."

"I very much regret detaining you, sir," replied the keeper of the hotel; "but you hear there has been a robbery committed within the last few minutes, and as it will be proper to search every one in the house, surely you, who are on the point of departure, will have no objections to be searched first, and then be at liberty to go?"

There was something so perfectly reasonable in all this, that Harvey stepped into an adjoining parlour, and threw open his trunk for inspection, never doubting that his innocence would be immediately manifest.

The waiter, whose mean rapacity had been the cause of the detention, acted as examiner. He pulled one article after another out of the trunk, and at length—horror of horrors!—held up the missing watch with a look of triumph and scorn!

"Who put that there?" cried Harvey in an agony of mind which can be better imagined than described. "Who has done me this grievous wrong? I know nothing as to how the watch came into my trunk."

No one answered this appeal. All present stood for a moment in gloomy silence.

"Sir," said the landlord to Harvey on recovering from his surprise, "I am sorry for you. For the sake of a miserable trifle you have brought ruin and disgrace on yourself. This is a matter which concerns the honour of my house, and cannot stop here. However much it is against my feelings, you must go before a magistrate."

"By all means," added No. 17, with the importance of an injured man. "A pretty thing that one's watch is not safe in a house like this!"

"John, send Boots for a constable," said the landlord.

Harvey sat with his head leaning on his hand. A deadly cold perspiration trickled down his brow. His heart swelled and beat as if it would burst. What should he do? His whole prospects were in an instant blighted. "Oh God! do not desert a frail and unhappy being: give me strength to face this new and terrible misfortune," was a prayer he internally uttered. A little revived, he started to his feet, and addressing himself to the landlord, he said, "Take me to a magistrate instantly, and let us have this

diabolical plot unravelled. I court inquiry into my character and conduct."

"It's no use saying any more about it," answered the landlord; "here is Boots with a constable, and let us all go away together to the nearest magistrate. Boots, carry that trunk. John and Sally, you can follow us."

And so the party, trunk and all, under the constable as conductor, adjourned to the house of a magistrate in an adjacent street. There the matter seemed so clear a case of felony—robbery in a dwelling-house—that Harvey, all protestations to the contrary, was fully committed for trial at the ensuing March assizes, then but a few days distant.

At the period at which these incidents occurred, I was a young man going on my first circuit; and on the evening after my arrival at the county-town where the court held its sittings on the March circuit of the year 17—I was sitting in my lodgings perusing a new work on criminal jurisprudence, when the landlady, after tapping at the door, entered my room.

"I am sorry to trouble you, sir," said she; "but a lady has called to see you about a very distressing law case—very distressing indeed, and a very strange case it is, too. Only, if you could be so good as to see her?"

"Who is she?"

“ All I know about it is this : she is a Mrs. Harvey. She and her husband and children were to sail the other day for Boston. All were on board except the husband, and he, on leaving the large hotel where they were staying, was taken up for a robbery. Word was sent by the prisoner to his wife to come on shore with all her children and the luggage ; and so she came back in the pilot boat, and was in such a state of distress, that my brother, who is on the customs service, and saw her land, took pity on her, and had her and her children and things taken to a lodging on the quay. As my brother knows that we have a London lawyer staying here, he has advised the poor woman to come and consult you about the case.”

“ Well, I'll see what can be done. Please desire the lady to step in.”

A lady was shortly shown in. She had been pretty, and was so still, but anxiety was pictured in her pale countenance. Her dress was plain, but not inelegant ; and altogether she had a neat and engaging appearance.

“ Be so good as to sit down,” said I, bowing ; “ and tell me all you would like to say.”

The poor woman burst into tears ; but afterwards recovering herself, she told me pretty nearly the whole of her history and that of her husband.

Lawyers have occasion to see so much duplicity, that I did not all at once give assent to the idea of Harvey being innocent of the crime of which he stood charged.

"There is something perfectly inexplicable in the case," I observed, "and it would require sifting. Your husband, I hope, has always borne a good character?"

"Perfectly so. He was, no doubt, unfortunate in business; but he got his certificate on the first examination; and there are many who would testify to his uprightness." And here again my client broke into tears, as if overwhelmed with her recollections and prospects.

"I think I recollect Mr. Harvey's shop," said I, soothingly. "It seemed a very respectable concern; and we must see what can be done. Keep up your spirits; the only fear I have arises from the fact of Judge A—— being on the bench. He is usually considered severe, and if exculpatory evidence fail, your husband may run the risk of being—transported." A word of more terrific import, with which I was about to conclude, stuck unuttered in my throat. "Have you employed an attorney?" I added.

"No; I have done nothing as yet but apply to you, to beg of you to be my husband's counsel."

"Well, that must be looked to. I shall speak to an attorney, to prepare and work out the case; and we shall all do our utmost to get an acquittal. To-morrow he will call on your husband in prison."

Many thanks were offered by the unfortunate lady, and she withdrew.

I am not going to inflict on the reader a detailed

account of this remarkable trial, which turned, as barristers would say, on a beautiful point of circumstantial evidence. Along with the attorney, a sharp enough person in his way, I examined various parties at my lodgings, and made myself acquainted with the nature of the premises. The more we investigated, however, the more dark and mysterious—always supposing Harvey's innocence—did the whole case appear. There was not one redeeming trait in the affair, except Harvey's previous good character; and good character goes, of course, for nothing in opposition to facts proved to the satisfaction of a jury. It was likewise most unfortunate that A—— was to be the presiding judge. This man possessed great forensic acquirements, and was of spotless private character; but, like the majority of lawyers of that day—when it was no extraordinary thing to hang a dozen men in a morning at Newgate—he was a stanch stickler for the gallows as the only effectual reformer and safeguard of the social state. At this time he was but partially recovered from a long and severe indisposition, and the traces of recent suffering were distinctly apparent on his pale and passionless features.

Harvey was arraigned in due form; the evidence was gone carefully through; and everything, so far as I was concerned, was done that man could do. But at the time to which I refer, counsel was not allowed to address the court on behalf of the prisoner—a

practice since introduced from Scotland—and consequently I was allowed no opportunity to draw the attention of the jury to the total want of any direct evidence of the prisoner's guilt. Harvey himself tried to point out the unlikelihood of his being guilty; but he was not a man gifted with dialectic qualities, and his harangue fell pointless on the understanding of the twelve common-place individuals who sat in the jury-box. The judge finally proceeded to sum the evidence, and this he did emphatically *against* the prisoner—dwelling with much force on the suspicious circumstance of a needy man taking up his abode at an expensive fashionable hotel; his furtive descent from his apartments by the back stairs; the undoubted fact of the watch being found in his trunk; the improbability of any one putting it there but himself; and the extreme likelihood that the robbery was effected in a few moments of time by the culprit, just as he passed from the bar of the hotel to the room which he had occupied. “If,” said he to the jury, in concluding his address, “you can, after all these circumstances, believe the prisoner to be innocent of the crime laid to his charge, it is more than I can do. The thing seems to me as clear as the sun at noonday. The evidence, in short, is irresistible; and if the just and necessary provisions of the law are not enforced in such very plain cases, then society will be dissolved, and security for property there will be none. Gentlemen, retire and make up your verdict.”

The jury were not disposed to retire. After communing a few minutes together, one of them stood up and delivered the verdict: it was *Guilty!* The judge assumed the crowning badge of the judicial potentate—the black cap; and the clerk of arraigns asked the prisoner at the bar, in the usual form, if he had anything to urge why sentence of death should not be passed upon him.

Poor Harvey! I durst scarcely look at him. As the sonorous words fell on his ear, he was grasping nervously with shaking hands at the front of the dock. He appeared stunned, bewildered, as a man but half awakened from a hideous dream might be supposed to look. He had comprehended, though he had scarcely heard, the verdict; for on the instant, the voice which but a few years before sang to him by the brook side, was ringing through his brain, and he could recognise the little pattering feet of his children, as, sobbing and clinging to their shrieking mother's dress, she and they were hurried out of court. The clerk, after a painful pause, repeated the solemn formula. By a strong effort the doomed man mastered his agitation; his pale countenance lighted up with indignant fire, and firm but self-possessed, he thus replied to the fearful interrogatory:—

“ Much could I say in the name, not of mercy, but of justice, why the sentence about to be passed on me should not be pronounced; but nothing, alas!

that will avail me with you, pride-blinded ministers of death. You fashion to yourselves—out of your own vain conceits do you fashion—modes and instruments, by the aid of which you fondly imagine to invest yourselves with attributes which belong only to Omniscience; and now I warn you—and it is a voice from the tomb, in whose shadow I already stand, which addresses you—that you are about to commit a most cruel and deliberate murder.”

He paused, and the jury looked into each other's eyes for the courage they could not find in their own hearts. The voice of conscience spoke, but was only for a few moments audible. The suggestion that what grave parliaments, learned judges, and all classes of “respectability” sanctioned, could not be wrong, much less murderous or cruel, silenced the “still, small” tones, and tranquillised the startled jurors.

“Prisoner at the bar,” said the judge with his cold, calm voice of destiny, “I cannot listen to such observations: you have been found guilty of a heinous offence by a jury of your countrymen after a patient trial. With that finding, I need scarcely say, I entirely agree. I am as satisfied of your guilt as if I had seen you commit the act with my own’ bodily eyes. The circumstance of your being a person who, from habits and education, should have been above committing so base a crime, only aggravates your guilt. However, no matter who or what you

have been, you must expiate your offence on the scaffold. The law has very properly, for the safety of society, decreed the punishment of death for such crimes: our only and plain duty is to execute that law."

The prisoner did not reply: he was leaning with his elbows on the front of the dock, his bowed face covered with his outspread hands; and the judge passed sentence of death in the accustomed form. The court then rose, and a turnkey placed his hand upon the prisoner's arm, to lead him away. Suddenly he uncovered his face, drew himself up to his full height—he was a remarkably tall man—and glared fiercely round upon the audience, like a wild animal at bay. "My lord!" he cried, or rather shouted, in an excited voice. The judge motioned impatiently to the jailer, and strong hands impelled the prisoner from the front of the dock. Bursting from them, he again sprang forward, and his arms outstretched, whilst his glittering eye seemed to hold the judge spell-bound, exclaimed, "My lord, before another month has passed away, *you* will appear at the bar of another world, to answer for the life, the innocent life, which God bestowed upon me, but which you have impiously cast away as a thing of naught and scorn!" He ceased, and was at once borne off. The court, in some confusion, hastily departed. It was thought at the time that the judge's evidently failing health had suggested the prophecy to the

prisoner. It only excited a few days' wonder, and was forgotten.

The position of a barrister in such circumstances is always painful. I need hardly say that my own feelings were of a very distressing kind. Conscious that if the unfortunate man really was guilty, he was at least not deserving of capital punishment, I exerted myself to procure a reprieve. In the first place I waited privately on the judge; but he would listen to no proposal for a respite. Along with a number of individuals—chiefly of the Society of Friends—I petitioned the crown for a commutation of the sentence. But being unaccompanied with a recommendation from the judge, the prayer of our petition was of course disregarded: the law, it was said, must take its course. How much cruelty has been exercised under shelter of that remorseless expression!

I would willingly pass over the succeeding events. Unable to save his life, I endeavoured to soothe the few remaining hours of the doomed convict, and frequently visited him in the condemned cell. The more I saw of him, the deeper grew my sympathy in his case, which was that of no vulgar felon. “I have been a most unfortunate man,” said he one day to me. “A destiny towards ruin in fortune and in life has pursued me. I feel as if deserted by God and man; yet I know, or at least would persuade myself, that Heaven will one day vindicate my innocence of this

foul charge. To think of being hanged like a dog for a crime at which my soul revolts! Great is the crime of those imbecile jurors and that false and hard-hearted judge, who thus, by an irreversible decree, consign a fellow-mortal to a death of violence and disgrace. Oh God, help me—help me to sustain that bitter, bitter hour!" And then the poor man would throw himself on his bed and weep.

But the parting with his wife and children. What pen can describe that terrible interview? They knelt in prayer, their woe-begone countenances suffused in tears, and with hands clasped convulsively together. The scene was too harrowing and sacred for the eye of a stranger. I rushed from the cell, and buried myself in my lodgings, whence I did not remove till all was over. Next day James Harvey, a victim of circumstantial evidence, and of a barbarous criminal code, perished on the scaffold.

Three weeks afterwards, the court arrived at a populous city in the west of England.

"Well, are we to have a heavy calendar?" I inquired next morning of a brother barrister on entering the court.

"Rather light for a March assize," replied the impatient counsel as he hustled onward. "There's Cartwright's case—highway robbery—in which I am for the prosecution. He'll swing for it, and perhaps four or five others."

"A good hanging judge is A——," said the undersheriff, who at this moment joined us, rubbing his hands, as if pleased with the prospect of a few executions. "No chance of the prophecy yonder coming to pass, I suppose?"

"Not in the least," replied the bustling counsel. "He never looked better. His illness has gone completely off. And this day's work will brighten him up."

Cartwright's trial came on. I had never seen the man before, and was not aware that this was the same person whom Harvey had incidentally told me he had discharged for theft; the truth being, that till the last moment of his existence, that unfortunate man had not known how much he had been a sacrifice to this wretch's malice.

The crime of which the villain now stood accused was that of robbing a farmer of the paltry sum of eight shillings, in the neighbourhood of Ilfracombe. He pleaded not guilty, but put in no defence. A verdict was recorded against him, and in due form A—— sentenced him to be hanged. An expression of fiendish malignancy gleamed over the haggard features of the felon as he asked leave to address a few words to the court. It was granted. Leaning forward, and raising his heavy scowling eyes to the judge, he thus began:—"There is something on my mind, my lord—a dreadful crime—which, as I am to die for the eight shillings I took from the

farmer, I may as well confess. You may remember Harvey, my lord, whom you hanged the other day at —?”

“ What of him, fellow?” replied the judge, his features suddenly flushing crimson.

“ Why, my lord, only this—that he was as innocent of the crime for which you hanged him as the child yet unborn! *I* did the deed! *I* put the watch in his trunk!” And to the unutterable horror of the entire court, he related the whole particulars of the transaction, the origin of his grudge against Harvey, and his delight on bringing him to the gallows.

“ Inhuman, execrable villain!” gasped the judge in extreme excitement.

“ Cleverly done, though! Was it not, my lord?” rejoined the ruffian with bitter irony. “ The evidence, you know, was irresistible; the crime as clear as the sun at noonday; and if, in such plain cases, the *just* and necessary law was not enforced, society would be dissolved, and there would be no security for property! These were your words, I think. How on that occasion I admired your lordship’s judgment and eloquence! Society would be dissolved if an innocent man were not hanged! Ha!—ha!—ha! Capital!—capital!” shouted the ferocious felon with demoniac glee, as he marked the effect of his words on the countenance of the judge.

“ Remove the prisoner!” cried the sheriff. An

officer was about to do so; but the judge motioned him to desist. His lordship's features worked convulsively. He seemed striving to speak, but the words would not come.

"I suppose, my lord," continued Cartwright in low and hissing tones, as the shadow of an unutterable despair grew and settled on his face—"I suppose you know that his wife destroyed herself. The coroner's jury said she had fallen accidentally into the water. *I* know better. She drowned herself under the agonies of a broken heart! I saw her corpse, with the dead baby in its arms; and then I felt, knew, that I was lost! Lost, doomed to everlasting perdition! But, my lord"—and here the wretch broke into a howl wild and terrific—"we shall go down together—down to where your deserts are known. A--h--h! that pinches you, does it? Hound of a judge! legal assassin! coward! I spurn and spit upon thee!" The rest of the appalling objurgation was inarticulate, as the monster, foaming and sputtering, was dragged by an officer from the dock.

Judge A——had fallen forwards on his face, fainting and speechless with the violence of his emotions. The black cap had dropped from his brow. His hands were stretched out across the bench, and various members of the bar rushed to his assistance. The court broke up in frightful commotion.

Two days afterwards the county paper had the following announcement:—

“Died at the judge’s lodgings, —, on the 27th instant, Mr. Justice A——, from an access of fever supervening upon a disorder from which he had imperfectly recovered.”

The prophecy was fulfilled!

## Experiences of a Barrister.

---

### THE NORTHERN CIRCUIT.

---

ABOUT the commencement of the present century there stood, near the centre of a rather extensive hamlet, not many miles distant from a northern sea-port town, a large, substantially-built, but somewhat straggling building, known as Craig Farm (popularly *Crook* Farm) House. The farm consisted of about one hundred acres of tolerable arable and meadow land; and at the time I have indicated, belonged to a farmer of the name of Armstrong. He had purchased it about three years previously, at a

sale held in pursuance of a decree of the High Court of Chancery, for the purpose of liquidating certain costs incurred in the suit of *Craig versus Craig*, which the said high court had nursed so long and successfully, as to enable the solicitor to the victorious claimant to incarcerate his triumphant client for several years in the Fleet, in "satisfaction" of the charges of victory remaining due after the proceeds of the sale of Craig Farm had been deducted from the gross total. Farmer Armstrong was married, but childless; his dame, like himself, was a native of Devonshire. They bore the character of a plodding, taciturn, morose-mannered couple: seldom leaving the farm except to attend market, and rarely seen at church or chapel, they naturally enough became objects of suspicion and dislike to the prying, gossiping villagers, to whom mystery or reserve of any kind was of course exceedingly annoying and unpleasant.

Soon after Armstrong was settled in his new purchase, another stranger arrived, and took up his abode in the best apartments of the house. The newcomer, a man of about fifty years of age, and evidently, from his dress and gait, a seafaring person, was as reserved and unsocial as his landlord. His name, or at least that which he chose to be known by, was Wilson. He had one child, a daughter, about thirteen years of age, whom he placed at a boarding-school in the adjacent town. He seldom

saw her; the intercourse between the father and daughter being principally carried on through Mary Strugnell, a widow of about thirty years of age, and a native of the place. She was engaged as a servant to Mr. Wilson, and seldom left Craig Farm except on Sunday afternoons, when, if the weather was at all favourable, she paid a visit to an aunt living in the town; there saw Miss Wilson; and returned home usually at half-past ten o'clock—later rather than earlier. Armstrong was occasionally absent from his home for several days together, on business, it was rumoured, for Wilson; and on the Sunday in the first week of January 1802, both he and his wife had been away for upwards of a week, and were not yet returned.

About a quarter past ten o'clock on that evening the early-retiring inhabitants of the hamlet were roused from their slumbers by a loud, continuous knocking at the front door of Armstrong's house: louder and louder, more and more vehement and impatient, resounded the blows upon the stillness of the night, till the soundest sleepers were awakened. Windows were hastily thrown open, and presently numerous footsteps approached the scene of growing hubbub. The unwonted noise was caused, it was found, by Farmer Armstrong, who, accompanied by his wife, was thundering vehemently upon the door with a heavy black-thorn stick. Still no answer was obtained. Mrs. Strugnell, it was supposed, had not

returned from town ; but where was Mr. Wilson, who was almost always at home both day and night ? Presently a lad called out that a white sheet or cloth of some sort was hanging out of one of the back windows. This announcement, confirming the vague apprehensions which had begun to germinate in the wise heads of the villagers, disposed them to adopt a more effectual mode of obtaining admission than knocking seemed likely to prove. Johnson, the constable of the parish, a man of great shrewdness, at once proposed to break in the door. Armstrong, who, as well as his wife, was deadly pale, and trembling violently, either with cold or agitation, hesitatingly consented, and crowbars being speedily procured, an entrance was forced, and in rushed a score of excited men. Armstrong's wife, it was afterwards remembered, caught hold of her husband's arm in a hurried, frightened manner, whispered hastily in his ear, and then both followed into the house.

"Now, farmer," cried Johnson, as soon as he had procured a light, " lead the way up stairs."

Armstrong, who appeared to have somewhat recovered from his panic, darted at once up the staircase, followed by the whole body of rustics. On reaching the landing-place, he knocked at Mr. Wilson's bedroom door. No answer was returned. Armstrong seemed to hesitate, but the constable at once lifted the latch ; they entered, and then a melancholy spectacle presented itself.

Wilson, completely dressed, lay extended on the floor—a corpse. He had been stabbed in two places in the breast with some sharp-pointed instrument. Life was quite extinct. The window was open. On farther inspection, several bundles containing many of Wilson's valuables in jewellery and plate, together with clothes, shirts, silk handkerchiefs, were found. The wardrobe and a secretary-bureau had been forced open. The assassins had, it seemed, been disturbed, and had hurried off by the window without their plunder. A hat was also picked up in the room, a shiny, black hat, much too small for the deceased. The constable snatched it up, and attempted to clap it on Armstrong's head, but it was not nearly large enough. This, together with the bundles, dissipated a suspicion which had been growing in Johnson's mind, and he roughly exclaimed, " You need not look so scared, farmer; it's not you : that's quite clear."

To this remark neither Armstrong nor his wife answered a syllable, but continued to gaze at the corpse, the bundles, and the broken locks, in bewildered terror and astonishment. Presently some one asked if anybody had seen Mrs. Strugnell?

The question roused Armstrong, and he said, " She is not come home : her door is locked."

" How do you know that? " cried the constable, turning sharply round, and looking keenly into his face. " How do you know that? "

"Because—because," stammered Armstrong, "because she always locks it when she goes out."

"Which is her room?"

"The next to this."

They hastened out, and found the next door was fast.

"Are you there, Mrs. Strugnell?" shouted Johnson.

There was no reply.

"She is never home till half-past ten o'clock on Sunday evenings," remarked Armstrong in a calmer voice.

"The key is in the lock on the inside," cried a young man who had been striving to peep through the keyhole.

Armstrong, it was afterwards sworn, started as if he had been shot; and his wife again clutched his arm with the same nervous, frenzied gripe as before.

"Mrs. Strugnell, are you there?" once more shouted the constable. He was answered by a low moan. In an instant the frail door was burst in, and Mrs. Strugnell was soon pulled out, apparently more dead than alive, from underneath the bedstead, where she, in speechless consternation, lay partially concealed. Placing her in a chair, they soon succeeded—much more easily, indeed, than they had anticipated—in restoring her to consciousness. Nervously she glanced round the circle of eager faces that environed her, till her eyes fell upon Armstrong

and his wife, when she gave a loud shriek, and muttering, “They, *they* are the murderers,” swooned, or appeared to do so, again instantly.

The accused persons, in spite of their frenzied protestations of innocence, were instantly seized and taken off to a place of security; Mrs. Strugnell was conveyed to a neighbour’s close by; the house was carefully secured; and the agitated and wondering villagers departed to their several homes, but not, I fancy, to sleep any more for that night.

The deposition made by Mrs. Strugnell at the inquest on the body was in substance as follows:—

“On the afternoon in question she had, in accordance with her usual custom, proceeded to town. She called on her aunt, took tea with her, and afterwards went to the Independent Chapel. After service, she called to see Miss Wilson, but was informed that, in consequence of a severe cold, the young lady was gone to bed. She then immediately proceeded homewards, and consequently arrived at Craig Farm more than an hour before her usual time. She let herself in with her latch key, and proceeded to her bedroom. There was no light in Mr. Wilson’s chamber, but she could hear him moving about in it. She was just about to go down stairs, having put away her Sunday bonnet and shawl, when she heard a noise, as of persons entering by the back way, and walking gently across the kitchen floor. Alarmed as to who it could be, Mr. and Mrs. Armstrong not being

expected home for several days, she gently closed her door, and locked it. A few minutes after, she heard stealthy steps ascending the creaking stairs, and presently her door was tried, and a voice in a low hurried whisper said, "Mary, are you there?" She was positive it was Mr. Armstrong's voice, but was too terrified to answer. Then Mrs. Armstrong—she was sure it was she—said also in a whisper, and as if addressing her husband, "She is never back at this hour." A minute or so after there was a tap at Mr. Wilson's door. She could not catch what answer was made; but by Armstrong's reply, she gathered that Mr. Wilson had lain down, and did not wish to be disturbed. He was often in the habit of lying down with his clothes on. Armstrong said, "I will not disturb you, sir; I'll only just put this parcel on the table." There is no lock to Mr. Wilson's door. Armstrong stepped into the room, and almost immediately she heard a sound as of a violent blow, followed by a deep groan, and then all was still. She was paralysed with horror and affright. After the lapse of a few seconds, a voice—Mrs. Armstrong's undoubtedly—asked in a tremulous tone if "all was over?" Her husband answered "Yes: but where be the keys of the writing-desk kept?" "In the little table-drawer," was the reply. Armstrong then came out of the bedroom, and both went into Mr. Wilson's sitting apartment. They soon returned, and crept stealthily along the passage to their own bedroom on

the same floor. They then went down stairs to the kitchen. One of them—the woman, she had no doubt—went out the backway, and heavy footsteps again ascended the stairs. Almost dead with fright, she then crawled under the bedstead, and remembered no more till she found herself surrounded by the villagers."

In confirmation of this statement, a large clasp-knife belonging to Armstrong, and with which it was evident the murder had been perpetrated, was found in one corner of Wilson's bedroom ; and a mortgage-deed for one thousand pounds on Craig Farm, the property of Wilson, and which Strugnell swore was always kept in the writing-desk in the front room, was discovered in a chest in the prisoners' sleeping apartment, together with nearly one hundred and fifty pounds in gold, silver, and county bank-notes, although it was known that Armstrong had but a fortnight before declined a very advantageous offer of some cows he was desirous of purchasing, under the plea of being short of cash. Worse perhaps than all, a key of the back-door was found in his pocket, which not only confirmed Strugnell's evidence, but clearly demonstrated that the knocking at the door for admittance, which had roused and alarmed the hamlet, was a pure subterfuge. The conclusion, therefore, almost universally arrived at throughout the neighbourhood was, that Armstrong and his wife were the guilty parties ; and that the bundles, the

broken locks, the sheet hanging out of the window, the shiny, black hat, were, like the knocking, mere cunning devices to mislead inquiry.

The case excited great interest in the county, and I esteemed myself professionally fortunate in being selected to hold the brief for the prosecution. I had satisfied myself, by a perusal of the depositions, that there was no doubt of the prisoners' guilt, and I determined that no effort on my part should be spared to insure the accomplishment of the ends of justice. I drew the indictment myself; and in my opening address to the jury, dwelt with all the force and eloquence of which I was master upon the heinous nature of the crime, and the conclusiveness of the evidence by which it had been brought home to the prisoners. I may here, by way of parenthesis, mention that I resorted to a plan in my address to the jury which I have seldom known to fail. It consisted in fixing my eyes and addressing my language to each juror one after the other. In this way each considers the address to be an appeal to his individual intelligence, and responds to it by falling into the views of the barrister. On this occasion the jury easily fell into the trap. I could see that I had got them into the humour of putting confidence in the evidence I had to produce.

The trial proceeded. The cause of the death was scientifically stated by two medical men. Next followed the evidence as to the finding of the knife in

the bedroom of the deceased ; the discovery of the mortgage-deed and the large sum of money in the prisoners' sleeping apartment ; the finding the key of the back-door in the male prisoner's pocket ; and his demeanour and expressions on the night of the perpetration of the crime. In his cross-examination of the constable, several facts perfectly new to me were elicited by the very able counsel for the prisoners. Their attorney had judiciously maintained the strictest secrecy as to the nature of the defence, so that it now took me completely by surprise. The constable, in reply to questions by counsel, stated that the pockets of the deceased were empty ; that not only his purse, but a gold watch, chain, and seals, which he usually wore, had vanished, and no trace of them had as yet been discovered. Many other things were also missing. A young man of the name of Pearce, apparently a sailor, had been seen in the village once or twice in the company of Mary Strugnell ; but he did not notice what sort of hat he generally wore ; he had not seen Pearce since the night the crime was committed ; had not sought for him.

Mary Strugnell was the next witness. She repeated her previous evidence with precision and apparent sincerity, and then I abandoned her with a mixed feeling of anxiety and curiosity to the counsel for the defence. A subtle and able cross-examination of more than two hours' duration followed ; and at

its conclusion, I felt that the case for the prosecution was so damaged, that a verdict of condemnation was, or ought to be, out of the question. The salient points dwelt upon, and varied in every possible way, in this long sifting, were these :—

“ What was the reason she did not return in the evening in question to her aunt’s to supper as usual ? ”

“ She did not know, except that she wished to get home.”

“ Did she keep company with a man of the name of Pearce ? ”

“ She had walked out with him once or twice.”

“ When was the last time ? ”

“ She did not remember.”

“ Did Pearce walk with her home on the night of the murder ? ”

“ No.”

“ Not part of the way ? ”

“ Yes ; part of the way.”

“ Did Pearce sometimes wear a black, shiny hat ? ”

“ No—yes : she did not remember.”

“ Where was Pearce now ? ”

“ She didn’t know.”

“ Had he disappeared since that Sunday evening ? ”

“ She didn’t know.”

“ Had she seen him since ? ”

“ No.”

“ Had Mr. Wilson ever threatened to discharge her for insolence to Mrs. Armstrong ? ”

"Yes; but she knew he was not in earnest."

"Was not the clasp-knife that had been found always left in the kitchen for culinary purposes?"

"No—not always; generally—but not *this* time that Armstrong went away, she was sure."

"Mary Strugnell, you be a false-sworn woman before God and man!" interrupted the male prisoner with great violence of manner.

The outbreak of the prisoner was checked and rebuked by the judge, and the cross-examination soon afterwards closed. Had the counsel been allowed to follow up his advantage by an address to the jury, he would, I doubt not, spite of their prejudices against the prisoners, have obtained an acquittal; but as it was, after a neutral sort of charge from the judge, by no means the ablest that then adorned the bench, the jurors, having deliberated for something more than half-an-hour, returned into court with a verdict of "guilty" against both prisoners, accompanying it, however, with a strong recommendation to mercy!

"Mercy!" said the judge. "What for? On what ground?"

The jurors stared at each other and at the judge: they had no reason to give! The fact was, their conviction of the prisoners' guilt had been very much shaken by the cross-examination of the chief witness for the prosecution, and this recommendation was a compromise which conscience made with doubt. I have known many such instances.

The usual ridiculous formality of asking the wretched convicts what they had to urge why sentence should not be passed upon them was gone through ; the judge, with unmoved feelings, put on the fatal cap ; and then a new and startling light burst upon the mysterious, bewildering affair.

“ Stop, my lord ! ” exclaimed Armstrong, with rough vehemence. “ Hear me speak ! I’ll tell ye all about it ; I will indeed, my lord. Quiet, Martha, I tell ye. It’s I, my lord, that’s guilty, **not** the woman. God bless ye, my lord ; not the wife ! Doant hurt the wife, and I’se tell ye all about it. I *alone* am guilty ; not, the Lord be praised, of murder, but of robbery.”

“ John ! John ! ” sobbed the wife, clinging passionately to her husband, “ let us die together ! ”

“ Quiet, Martha, I tell ye ! Yes, my lord, I’se tell ye all about it. I was gone away, wife and I, for more nor a week, to receive money for Mr. Wilson, on account of smuggled goods—that money, my lord, as was found in the chest. When we came home on that dreadful Sunday night, my lord, we went in back way ; and hearing a noise, I went up stairs, and found poor Wilson stone-dead on the floor. I were dreadful skeared, and let drop the candle. I called to wife, and told her of it. She screamed out, and amairt fainted away : and then, my lord, all at once the devil shot it into my head to keep the money I had brought ; and knowing as the keys of the desk where the mortgage writing was kept was in the

bedroom, I crept back, as that false-hearted woman said, got the keys, and took the deed ; and then I persuaded wife, who had been trembling in the kitchen all the while, that we had better go out quiet again, as there was nobody in the house but us : I had tried that woman's door—and we might perhaps be taken for the murderers. And so we did ; and that's the downright, honest truth, my lord. I'm rightly served ; but God bless you, doant hurt the woman—my wife, my lord, these thirty years. Five-and-twenty years ago come May, which I shall never see, we buried our two children. Had they lived, I might have been a better man ; but the place they left empty was soon filled up by love of cursed lucre, and that has brought me here. I deserve it ; but oh, mercy, my lord ! mercy, good gentlemen !”—turning from the stony features of the judge to the jury, as if they could help him—“ not for me, but the wife. She be as innocent of this as a new-born babe. It's I ! I ! scoundrel that I be, that has brought thee, Martha, to this shameful pass !” The rugged man snatched his life-companion to his breast with passionate emotion, and tears of remorse and agony streamed down his rough cheeks.

I was deeply affected, and felt that the man had uttered the whole truth. It was evidently one of those cases in which a person liable to suspicion damages his own cause by resorting to a trick. No doubt, by his act of theft, Armstrong had been driven

to an expedient which would not have been adopted by a person perfectly innocent. And thus, from one thing to another, the charge of murder had been fixed upon him and his hapless wife. When his confession had been uttered, I felt a species of self-accusation in having contributed to his destruction, and gladly would I have undone the whole day's proceedings. The judge, on the contrary, was quite undisturbed. Viewing the harangue of Armstrong as a mere tissue of falsehood, he coolly pronounced sentence of death on the prisoners. They were to be hanged on Monday. This was Friday.

"A bad job!" whispered the counsel for the defence, as he passed me. "That witness of yours, the woman Strugnell, is the real culprit."

I tasted no dinner that day: I was sick at heart; for I felt as if the blood of two fellow-creatures was on my hands. In the evening I sallied forth to the judge's lodgings. He listened to all I had to say; but was quite imperturbable. The obstinate old man was satisfied that the sentence was as it should be. I returned to my inn in a fever of despair. Without the approval of the judge, I knew that an application to the secretary of state was futile. There was not even time to send to London, unless the judge had granted a respite.

All Saturday and Sunday I was in misery. I denounced capital punishment as a gross iniquity—a national sin and disgrace; my feelings, of course,

being influenced somewhat by a recollection of that unhappy affair of Harvey, noticed in my previous paper. I half resolved to give up the bar, and rather go and sweep the streets for a livelihood, than run the risk of getting poor people hanged who did not deserve it.

On the Monday morning I was pacing up and down my breakfast-room in the next assize-town, in a state of great excitement, when a chaise-and-four drove rapidly up to the hotel, and out tumbled Johnson the constable. His tale was soon told. On the previous evening, the landlady of the Black Swan, a roadside public-house about four miles distant from the scene of the murder, reading the name of Pearce in the report of the trial in the Sunday county paper, sent for Johnson to state that that person had on the fatal evening called and left a portmanteau in her charge, promising to call for it in an hour, but had never been there since. On opening the portmanteau, Wilson's watch, chain, and seals, and other property were discovered in it; and Johnson had, as soon as it was possible, set off in search of me. Instantly, for there was not a moment to spare, I, in company with Armstrong's counsel, sought the judge, and with some difficulty obtained from him a formal order to the sheriff to suspend the execution till further orders. Off I and the constable started, and happily arrived in time to stay the execution, and deprive the already-assembled mob of the brutal

exhibition they so anxiously awaited. On inquiring for Mary Strugnell, we found that she had absconded on the evening of the trial. All search for her proved vain.

Five months had passed away ; the fate of Armstrong and his wife was still undecided, when a message was brought to my chambers in the Temple from a woman said to be dying in St. Bartholomew's Hospital. It was Mary Strugnell ; who, when in a state of intoxication, had fallen down in front of a carriage, as she was crossing near Holborn Hill, and had both her legs broken. She was dying miserably, and had sent for me to make a full confession relative to Wilson's murder. Armstrong's account was perfectly correct. The deed was committed by Pearce, and they were packing up their plunder when they were startled by the unexpected return of the Armstrongs. Pearce, snatching up a bundle and a portmanteau, escaped by the window ; she had not nerve enough to attempt it, and crawled back to her bedroom, where she, watching the doings of the farmer through the chinks of the partition which separated her room from the passage, concocted the story which convicted the prisoners. Pearce thinking himself pursued, too heavily encumbered for rapid flight, left the portmanteau as described, intending to call for it in the morning, if his fears proved groundless. He, however, had not courage to risk calling again, and made the best of his way to London. He was now in

Newgate under sentence of death for a burglary, accompanied by personal violence to the inmates of the dwelling he and his gang had entered and robbed. I took care to have the deposition of the dying wretch put into proper form; and the result was, after a great deal of petitioning and worrying of authorities, a full pardon for both Armstrong and his wife. They sold Craig Farm, and removed to some other part of the country, where, I never troubled myself to inquire. Deeply grateful was I to be able at last to wash my hands of an affair which had cost me so much anxiety and vexation; albeit the lesson it afforded me of not coming hastily to conclusions, even when the truth seems, as it were, upon the surface of the matter, has not been, I trust, without its uses.

## *Experiences of a Barrister.*

---

### THE CONTESTED MARRIAGE.

---

I HAD just escaped to my chambers one winter afternoon from a heavy trial “at bar” in the King’s Bench, Westminster, and was poring over a case upon which an “opinion” was urgently solicited, when my clerk entered with a letter which he had been requested to deliver by a lady, who had called twice before during the day for the purpose of seeing me. Vexed at the interruption, I almost snatched the letter from the man’s hand, hastily broke the seal, and to my great surprise found it was from my ex-

cellent old friend Sir Jasper Thornley of Thornley Hall, Lancashire. It ran as follows :—

“ MY DEAR ——, The bearer of this note is a lady whom I am desirous of serving to the utmost extent of my ability. That she is really the widow she represents herself to be, and her son consequently heir to the magnificent estates now in possession of the Emsdales—you remember how they tripped up my heels at the last election for the borough of —— ! —I have no moral doubt whatever; but whether her claim can be legally established is another affair. She will tell you the story herself. It was a heartless business; but Sir Harry, who, you have no doubt heard, broke his neck in a steeple-chase about ten months ago, was a sad wild dog. My advice is, to look out for a sharp, clever, persevering attorney, and set him upon a hunt for evidence. If he succeed, I undertake to pay him a thousand pounds over and above his legal costs. He'll nose it out for that, I should think!—Yours truly,

“ JASPER THORNLEY.

“ P.S.—Emsdale's son, I have just heard—confound their impudence!—intends, upon the strength of this accession of property, to stand for the county against my old friend ——, at the dissolution which cannot now be far off. If you don't think one thousand pounds enough, I'll double it. A cruelly ill-used lady! and as to her son, he's the very image of the late Sir Harry Compton. In haste—J. T.

I reopen the letter to enclose a cheque for a hundred pounds, which you will pay the attorney on account. They'll die hard, you may be sure. If it could come off next assizes, we should spoil them for the county —J. T."

"Assizes"—"county"—"Sir Harry Compton," I involuntarily murmured, as I finished the perusal of my old friend's incoherent epistle. "What on earth can the eccentric old foxhunter mean?" "Show the lady in," I added in a louder tone to the clerk. She presently appeared, accompanied by a remarkably handsome boy about six years of age, both attired in deep mourning. The lady approached with a timid, furtive step and glance, as if she was entering the den of some grim ogre, rather than the quiet study of a civilized lawyer of mature age. I was at once struck by her singular and touching loveliness. I have never seen a woman that so completely realised the highest *Madonna* type of youthful, matronly beauty—its starlight radiance and mild serenity of sorrow. Her voice, too, gentle and low, had a tone of patient sadness in it strangely affecting. She was evidently a person, if not of high birth, of refined manners and cultivated mind; and I soon ceased to wonder at warm-hearted old Sir Jasper's enthusiasm in her cause. Habitually, however, on my guard against first impressions, I courteously, but coldly, invited her first to a seat, and next to a more intelligible relation of her business with me than could

be gathered from the letter of which she was the bearer. She complied, and I was soon in possession of the following facts and fancies:—

Violet Dalston and her sister Emily had lived for several years in close and somewhat straitened retirement with their father, Captain Dalston, at Rock Cottage, on the outskirts of the village about six miles distant from Leeds, when Captain Dalston, who was an enthusiastic angler, introduced to his home a gentleman about twenty-five years of age, of handsome exterior and gentlemanly manners, with whom congeniality of tastes and pursuits had made him acquainted. This stranger was introduced to Violet (my interesting client) and her sister, as a Mr. Henry Grainger, the son of a London merchant. The object of his wanderings through the English counties was, he said, to recruit his health, which had become affected by too close application to business, and to gratify his taste for angling, sketching, and so on. He became a frequent visitor; and the result, after the lapse of about three months, was a proposal for the hand of Violet. His father allowed him, he stated, five hundred pounds per annum; but in order not to mortally offend the old gentleman, who was determined, if his son married at all, it should be either to rank or riches, it would be necessary to conceal the marriage till after his death. This commonplace story had been, it appeared, implicitly credited by Captain Dalston; and Violet Dalston and Henry

Grainger were united in holy wedlock—not at the village church near which Captain Dalston resided, but in one of the Leeds churches. The witnesses were the bride's father and sister, and a Mr. Bilston, a neighbour. This marriage had taken place rather more than seven years since, and its sole fruit was the fine-looking boy who accompanied his mother to my office. Mr. Grainger, soon after the marriage, persuaded the Dalstons to leave Rock Cottage, and take up their abode in a picturesque village in Cumberland, where he had purchased a small house, with some garden and ornamental grounds attached.

Five years rolled away—not, as I could discern, *too* happily—when the very frequent absences of Violet's husband in London, as he alleged (all her letters to him were directed to the Post-office, St. Martin's le Grand—till called for), were suddenly greatly prolonged; and on his return home, after an absence of more than three months, he abruptly informed the family that the affairs of his father, who was dying, had been found to have been greatly embarrassed, and that nothing was left for him and them but emigration to America, with such means as might be saved from the wreck of the elder Grainger's property. After much lamentation and opposition on the part of Emily Dalston and her father, it was finally conceded as Violet's husband wished; and the emigration was to have taken place in the following spring—Henry Grainger to follow

them the instant he could wind up his father's affairs. About three months before their intended departure —this very time twelvemonth, as nearly as may be— Captain Dalston was suddenly called to London, to close the eyes of an only sister. This sad duty fulfilled, he was about to return, when, passing towards dusk down St. James's Street, he saw Henry Grainger, habited in a remarkable sporting-dress, standing with several other gentlemen at the door of one of the club-houses. Hastening across the street to accost him, he was arrested for a minute or so by a line of carriages which turned sharply out of Piccadilly ; and when he *did* reach the other side, young Mr. Grainger and his companions had vanished. He inquired of the porter, and was assured that no Mr. Grainger, senior or junior, was known there. Persisting that he had seen him standing within the doorway, and describing his dress, the man with an insolent laugh exclaimed that the gentleman who wore that dress was the famous sporting baronet, Sir Harry Compton !

Bewildered, and suspecting he hardly knew what, Captain Dalston, in defiance of young Grainger's oft-iterated injunctions, determined to call at his father's residence, which he had always understood to be in Leadenhall Street. No such name was, however, known there ; and an examination, to which he was advised, of the "Commercial Dictionary" failed to discover the whereabouts of the pretended London

merchant. Heart-sick and spirit-wearied, Captain Dalston returned home only to die. A violent cold, caught by imprudently riding, in such bitter weather as it then was, on the outside of the coach, aggravated by distress of mind, brought his already enfeebled frame to the grave in less than two months after his arrival in Cumberland. He left his daughters utterly unprovided for, except by the legal claim which the eldest possessed on a man who, he feared, would turn out to be a worthless impostor. The penalty he paid for consenting to so imprudent a marriage was indeed a heavy and bitter one. Months passed away, and still no tidings of Violet's husband reached the sisters' sad and solitary home. At length, stimulated by apprehensions of approaching destitution—whose foot was already on the threshold—and desirous of gratifying a whim of Emily's, Violet consented to visit the neighbourhood of Compton Castle (the seat, her sister had ascertained, of the "celebrated sporting baronet," as the porter called him) on their way to London, where they had relatives who, though not rich, might possibly be able to assist them in obtaining some decent means of maintenance. They alighted at the "Compton Arms," and the first object which met the astonished gaze of the sisters as they entered the principal sitting-room of the inn was a full length portrait of Violet's husband, in the exact sporting-dress described to them by their father. An ivory tablet attached to the lower part of

the frame informed the gazer that the picture was a copy, by permission, of the celebrated portrait by Sir Thomas Lawrence, of Sir Harry Compton, Baronet. They were confounded, overwhelmed, bewildered. Sir Harry, they found, had been killed about eight months previously in a steeple chase ; and the castle and estates had passed, in default of direct issue, to a distant relative, Lord Emsdale. Their story was soon bruited about ; and, in the opinion of many persons, was confirmed beyond reasonable question by the extraordinary likeness they saw or fancied between Violet's son and the deceased baronet. Amongst others, Sir Jasper Thornley was a firm believer in the identity of Henry Grainger and Sir Harry Compton ; but unfortunately, beyond the assertion of the sisters that the portrait of Sir Harry was young Grainger's portrait, the real or imaginary likeness of the child to his reputed father, and some score of letters addressed to Violet by her husband, which Sir Jasper persisted were in Sir Harry's handwriting, though few others did (the hand, I saw at a glance, was a disguised one), not one tittle of evidence had he been able to procure for love or money. As a last resource, he had consigned the case to me, and the vulpine sagacity of a London attorney.

I suppose my countenance must be what is called a "speaking" one, for I had made no reply in words to this statement of a case upon which I and a "London attorney" were to ground measures for wresting a

magnificent estate from the clutch of a powerful nobleman, and by “next assizes” too—when the lady’s beautiful eyes filled with tears, and turning to her child, she murmured in that gentle, agitating voice of hers, “My poor boy!” The words I was about to utter died on my tongue, and I remained silent for several minutes. After all, thought I, this lady is evidently sincere in her expressed conviction that Sir Harry Compton was her husband. If her surmise be correct, evidence of the truth may perhaps be obtained by a keen search for it; and since Sir Jasper guarantees the expenses—I rang the bell. “Step over to Cursitor Street,” said I to the clerk as soon as he entered; “and if Mr. Ferret is within, ask him to step over immediately.” Ferret was just the man for such a commission. Indefatigable, resolute, sharp-witted, and of a ceaseless, remorseless activity, a secret or a fact had need be very profoundly hidden for him not to reach and fish it up. I have heard solemn doubts expressed by attorneys opposed to him as to whether he ever really and truly slept at all—that is, a genuine Christian sleep, as distinguished from a merely canine one, with one eye always half open. Mr. Ferret had been for many years Mr. Simpkins’ managing clerk; but ambition, and the increasing requirements of a considerable number of young Ferrets, determined him on commencing business on his own account; and about six months previous to the period of which I am now

writing, a brass door-plate in Cursitor Street, Chancery Lane, informed the public that Samuel Ferret, Esq., Attorney-at-Law, might be consulted within.

Mr. Samuel Ferret was fortunately at home; and after a very brief interval, made his appearance, entering with a short professional bow to me, and a very profound one to the lady, in whom his quick grey eye seemed intuitively to espy a client. As soon as he was seated, I handed him Sir Jasper's letter. He perused it carefully three times, examined the seal attentively, and handed it back with—"An excellent letter as far as it goes, and very much to the point. You intend, I suppose, that I should undertake this little affair?"

"Yes, if, after hearing the lady's case, you feel disposed to venture upon it."

Mr. Samuel Ferret's note-book was out in an instant; and the lady, uninterrupted by a syllable from him, re-told her story.

"Good, very good, as far as it goes," remarked the undismayed Samuel Ferret, when she concluded; "only it can scarcely be said to go very far. Moral presumption, which, in our courts unfortunately, isn't worth a groat. Never mind. *Magna est veritas*, and so on. When, madam, did you say Sir Harry—Mr. Grainger—first began to urge emigration?"

"Between two and three years ago."

"Have the goodness, if you please, to hand me the

Baronetage.” I did so. “Good,” resumed Ferret, after turning over the leaves for a few seconds, “very good, as far as it goes. It is now just two years and eight months since Sir Harry succeeded his uncle in the title and estates. You would no doubt soon have heard, madam, that your husband was dead. Truly the heart of man is deceitful above all things, and desperately wicked ; and yet such conduct towards such a lady”—Ferret intended no mere compliment ; he was only giving utterance to the thoughts passing through his brain ; but his client’s mounting colour warned him to change the topic, which he very adroitly did. “You intend, of course,” said he, addressing me, “to proceed at law? No rumble-tumble through the spiritual courts?”

“Certainly, if sufficient evidence to justify such a course can be obtained.”

“Exactly : Doe, demise of Compton, *versus* Emsdale; action in ejectment, judgment of ouster. Our friend Doe, madam—a very accommodating fellow is Doe—will, if we succeed, put you in possession as natural guardian of your son. Well, sir,” turning to me, “I may as well give you an acknowledgment for that cheque. I undertake the business, and shall, if possible, be off to Leeds by this evening’s mail.” The acknowledgment was given, and Mr. Ferret, pocketing the cheque, departed in high glee.

“The best man, madam, in all broad London,” said I, in answer to Mrs. Grainger’s somewhat

puzzled look, “you could have retained. Fond as he seems, and in fact is, of money—what sensible person is not?—Lord Emsdale could not bribe him with his earldom, now that he is fairly engaged in your behalf, I will not say to betray you, but to abate his indefatigable activity in furtherance of your interests. Attorneys, madam, be assured, whatever nursery tales may teach, have, the very sharpest of them, their points of honour.” The lady and her son departed, and I turned again to the almost forgotten “case.”

Three weeks had nearly glided by, and still no tidings of Mr. Ferret. Mrs. Grainger, and her sister Emily Dalston, a very charming person, had called repeatedly; but as I, of course, had nothing to communicate, they were still condemned to languish under the heart-sickness caused by hope deferred. At last our emissary made his wished-for appearance.

“Well, Mr. Ferret,” said I, on entering my library, where I found him composedly awaiting my arrival, “what success?”

“Why, nothing of much consequence as yet,” replied he; “I am, you know, only, as it were, just commencing the investigation. The Leeds parson that married them is dead, and the old clerk is paralytic, and has lost his memory. If, however, they were both alive, and in sound health of mind and body, they could, I fancy, help us but little, as Bilston tells me neither the Dalstons nor Grainger

had ever entered the church till the morning of the wedding ; and they soon afterwards removed to Cumberland, so that it is scarcely possible either parson or clerk could prove that Violet Dalston was married to Sir Harry Compton. A very intelligent fellow is Bilston : he was present at the marriage, you remember ; and a glorious witness, if he had only something of importance to depose to ; powdered hair and a pigtail, double chin, and six feet in girth, at least : highly respectable—capital witness, very—only, unfortunately, he can only testify that a person calling himself Grainger, married Violet Dalston ; not much in that ! ”

“ So, then, your three weeks’ labour has been entirely thrown away ? ”

“ Not so fast—not so fast—you jump too hastily at conclusions. The Cumberland fellow that sold Grainger the house—only the equity of redemption of it, by the way—there’s a large mortgage on it--can prove nothing. Nobody about there can, except the surgeon ; he can prove Mrs. Grainger’s *accouchement*—that is something. I have been killing myself every evening this last week with grog and tobacco-smoke at the ‘Compton Arms,’ in the company of the castle servants ; and if the calves’ heads *had* known anything essential, I fancy I should have wormed it out of them. They have, however, kindly furnished me with a scrawl of introduction to the establishment now in town some of whom I shall

have the honour to meet, in the character of an out-and-out liberal sporting gentleman, at the ‘Albermarle Arms’ this evening. I want to get hold of his confidential valet, if he had one—those go-a-head fellows generally have—a Swiss, or some other foreign animal.”

“ Is this all ?”

“ Why, no,” rejoined Ferret, with a sharp twinkle of his sharp, gray eye, amounting almost to a wink ; “ there is one circumstance which I cannot help thinking, though I scarcely know why, will put us, by the help of patience and perseverance, on the right track. In a corner of the registry of marriage there is written Z. Z. in bold letters. In no other part of the book does this occur. What may that mean ?”

“ Had the incumbent of the living a curate at the time ?”

“ No. On that point I am unfortunately too well satisfied. Neither are there any names with such initials in any of the Leeds churchyards. Still this Z. Z. may be of importance, if we could but discover who he is. But how?—that is the question. Advertise? Show our hands to the opposite players, and find if Z. Z. is really an entity, and likely to be of service, that when we want him in court, he is half-way to America. No, no ; that would never do.”

Mr. Ferret, I saw, was getting into a brown study ; and as I had pressing business to despatch, I got rid

of him as speedily as I could, quite satisfied, spite of Z. Z., that Mrs. Grainger's chance of becoming Lady Compton was about equal to mine of ascending the British throne some fine day.

Two days afterwards I received the following note :—

“ DEAR SIR,—Z. Z. is the man ! I'm off to Shropshire. Back, if possible, the day after to-morrow. Not a word even to the ladies. Huzza ! In haste,

“ SAMUEL FERRET.”

What could this mean ? Spite of Mr. Ferret's injunction, I could not help informing the sisters, who called soon after I had received the note, that a discovery, esteemed of importance by our emissary, had been made ; and they returned home with lightened hearts, after agreeing to repeat their visit on the day Mr. Ferret had named for his return.

On reaching my chambers about four o'clock in the afternoon of that day, I found the ladies there, and in a state of great excitement. Mr. Ferret, my clerk had informed them, had called twice, and seemed in the highest spirits. We had wasted but a few minutes in conjectures, when Mr. Ferret, having ascended the stairs two or three at a time, burst, *sans cérémonie*, into the apartment.

“ Good day, sir. Lady Compton, your most obedient servant ; madam, yours ! All right ! Only just in time to get the writ sealed ; served it myself a

quarter of an hour ago, just as his lordship was getting into his carriage. Not a day to lose ; just in time. Capital ! Glorious !”

“ What do you mean, Mr. Ferret ?” exclaimed Emily Dalston : her sister was too agitated to speak.

“ What do I mean ? Let us all four step, sir, into your inner sanctum, and I’ll soon tell you what I mean.”

We adjourned, accordingly, to an inner and more private room. Our conference lasted about half-an-hour, at the end of which the ladies took their leave : Lady Compton, her beautiful features alternately irradiated and clouded by smiles and tears, murmuring in a broken, agitated voice, as she shook hands with me, “ You see, sir, he intended at last to do us justice.”

The news that an action had been brought on behalf of an infant son of the late Sir Harry Compton against the Earl of Emsdale, for the recovery of the estates in the possession of that nobleman, produced the greatest excitement in the part of the county where the property was situated. The assize-town was crowded, on the day the trial was expected to come on, by the tenantry of the late baronet and their families, with whom the present landlord was by no means popular. As I passed up the principal street, towards the court-house, accompanied by my junior, I was received with loud hurraings and waving of handkerchiefs, something after the manner,

I suppose, in which chivalrous, steel-clad knights, about to do battle in behalf of distressed damsels, were formerly received by the miscellaneous spectators of the lists. Numerous favours, cockades, streamers, of the Compton colours, used in election-contests, purple and orange, were also slyly exhibited, to be more ostentatiously displayed if the Emsdale party should be beaten. On entering the court, I found it crowded, as we say, to the ceiling. Not only every seat, but every inch of standing-room that could be obtained, was occupied, and it was with great difficulty the ushers of the court preserved a sufficiently clear space for the ingress and egress of witnesses and counsel. Lord Emsdale, pale and anxious, spite of manifest effort to appear contemptuously indifferent, sat near the judge, who had just entered the court. The Archbishop of York, whom we had subpoenaed—why, his Grace had openly declared, he knew not—was also of course accommodated with a seat on the bench. A formidable bar, led by the celebrated Mr. S——, was, I saw, arrayed against us, though what the case was they had to meet, so well had Ferret kept his secret, they knew no more than did their horse-hair wigs. Ferret had solemnly enjoined the sisters to silence, and no hint, I need scarcely say, was likely to escape *my* lips. The jury—special, of course—were in attendance, and the case, “Doe, demise of Compton, *versus* Emsdale,” having been called, they were duly sworn to

try the issue. My junior, Mr. Frampton, was just rising to “state the case,” as it is technically called, when a tremendous shouting, rapidly increasing in volume and distinctness, and mingled with the sound of carriage-wheels, was heard approaching, and presently Mr. Samuel Ferret appeared, followed by Lady Compton and her son, the rear of the party brought up by Sir Jasper Thornley, whose jolly, fox-hunting face shone like a full-blown peony. The lady, though painfully agitated, looked charmingly; and the timid, appealing glance she unconsciously, as it were, threw round the court, would, in a doubtful case, have secured a verdict. “Very well got up, indeed,” said Mr. S——, in a voice sufficiently loud for the jury to hear—“very effectively managed, upon my word.” We were, however, in too good-humour to heed taunts; and as soon as silence was restored, Mr. Frampton briefly stated the case, and I rose to address the jury. My speech was purposely brief, business-like and confident. I detailed the circumstances of the marriage of Violet Dalston, then only eighteen years of age, with a Mr. Grainger; the birth of a son; and subsequent disappearance of the husband; concluding by an assurance to the jury, that I should prove, by incontrovertible evidence, that Grainger was no other person than the late Sir Harry Compton, Baronet. This address by no means lessened the vague apprehensions of the other side. A counsel that, with such materials for eloquence, dis-

dained having recourse to it, must needs have a formidable case. The smiling countenances of Mr. S—— and his brethren became suddenly overcast, and the pallor and agitation of Lord Emsdale sensibly increased.

We proved our case clearly, step by step: the marriage, the accouchement, the handwriting of Grainger—Bilston proved this—to the letters addressed to his wife, were clearly established. The register of the marriage was produced by the present clerk of the Leeds church; the initials Z. Z. were pointed out; and at my suggestion the book was deposited for the purposes of the trial with the clerk of the court. Not a word of cross-examination had passed the lips of our learned friends on the other side: they allowed our evidence to pass as utterly indifferent. A change was at hand.

Our next witness was James Kirby, groom to the late baronet and to the present earl. After a few unimportant questions, I asked him if he had ever seen that gentleman before, pointing to Mr. Ferret, who stood up for the more facile recognition of his friend Kirby.

“Oh yes, he remembered the gentleman well; and a very nice, good-natured, soft sort of a gentleman he was. He treated witness at the ‘Albemarle Arms,’ London, to as much brandy and-water as he liked, out of respect to his late master, whom the gentleman seemed uncommon fond of.”

"Well, and what return did you make for so much liberality?"

"Return! very little, I do assure ye. I told un how many horses Sir Harry kept, and how many races he won; but I couldn't tell un much more, pump as much as he would, because, do you see, I didn't *know* no more."

An audible titter from the other side greeted the witness as he uttered the last sentence; Mr. S—, with one of his complacent glances at the jury-box, remarking in a sufficiently loud whisper, "That he had never heard a more conclusive reason for not telling in his life."

"Did you mention that you were present at the death of the late baronet?"

"Yes, I did. I told un that I were within about three hundred yards of late master when he had that ugly fall; and that when I got up to un, he sort of pulled me down, and whispered hoarse-like, 'Send for Reverend Zachariah Zimmerman.' I remembered it, it was sich an outlandish name like."

"Oh, oh," thought I, as Mr. S— reached across the table for the parish register, "Z. Z. is acquiring significance, I perceive."

"Well, and what did this gentleman say to that?"

"Say? Why, nothing particular, only seemed quite joyful 'mazed like; and when I asked un why, he said it was such a comfort to find his good friend

Sir Harry had such pious thoughts in his last moments."

The laugh, quickly suppressed, that followed these words, did not come from our learned friends on the other side.

"Sir Harry used those words?"

"He did; but as he died two or three minutes after, it were of course no use to send for no parson whatsoever."

"Exactly. That will do, unless the other side have any questions to ask." No question *was* put, and the witness went down. "Call," said I to the crier of the court—"call the Reverend Zachariah Zimmerman."

This was a bomb-shell. Lord Emsdale, the better to conceal his agitation, descended from the bench and took his seat beside his counsel. The Reverend Zachariah Zimmerman, examined by Mr. Frampton, deponed in substance as follows:—"He was at present rector of Dunby, Shropshire, and had been in holy orders more than twenty years. Was on a visit to the Reverend Mr. Cramby at Leeds seven years ago, when one morning Mr. Cramby, being much indisposed, requested him to perform the marriage ceremony for a young couple then waiting in church. He complied, and joined in wedlock Violet Dalston and Henry Grainger. The bride was the lady now pointed out to him in court; the bridegroom he had discovered, about two years ago,

to be no other than the late Sir Harry Compton, baronet. The initials Z. Z. were his, and written by him. The parish clerk, a failing old man, had not officiated at the marriage ; a nephew, he believed, had acted for him, but he had entered the marriage in the usual form afterwards."

"How did you ascertain that Henry Grainger was the late Sir Harry Compton ?"

"I was introduced to Sir Harry Compton in London, at the house of the Archbishop of York, by his Grace himself."

"I remember the incident distinctly, Mr. Zimmerman," said his Grace from the bench.

"Besides which," added the rector, "my present living was presented to me, about eighteen months since, by the deceased baronet. I must further, in justice to myself, explain that I, immediately after the introduction, sought an elucidation of the mystery from Sir Harry ; and he then told me that, in a freak of youthful passion, he had married Miss Dalston in the name of Grainger, fearing his uncle's displeasure should it reach his ears ; that his wife had died in her first confinement, after giving birth to a still-born child, and he now wished the matter to remain in oblivion. He also showed me several letters, which I then believed genuine, confirming his story. I heard no more of the matter till waited upon by the attorney for the plaintiff, Mr. Ferrct."

A breathless silence prevailed during the delivery

of this evidence. At its conclusion, the dullest brain in court comprehended that the cause was gained ; and a succession of cheers, which could not be suppressed, rang through the court, and was loudly echoed from without, Sir Jasper's voice sounding high above all the rest. Suddenly, too, as if by magic, almost everybody in court, save the jury and counsel, was decorated with orange and purple favours, and a perfect shower of them fell at the feet and about the persons of Lady Compton, her sister, who had by this time joined her, and the infant Sir Henry. As soon as the expostulations and menaces of the judge had restored silence and order, his lordship, addressing Lord Emsdale's senior counsel, said, “ Well, Brother S——, what course do you propose to adopt ? ”

“ My Lord,” replied Mr. S—— after a pause, “ I and my learned friends have thought it our duty to advise Lord Emsdale that further opposition to the plaintiff's claim would prove ultimately futile ; and I have therefore to announce, my lord and gentlemen of the jury, that we acquiesce in a verdict for the plaintiff.”

“ You have counselled wisely,” replied his lordship. “ Gentlemen of the jury, you will of course return a verdict for the plaintiff.”

The jury hastily and joyfully assented : the verdict was recorded, and the court adjourned for an hour in the midst of tumultuous excitement. The result of

the trial flew through the crowd outside like wildfire ; and when Lady Compton and her son, after struggling through the densely-crowded court, stepped into Sir Jasper's carriage, which was in waiting at the door, the enthusiastic uproar that ensued—the hurraing, shouting, waving of hats and handkerchiefs—deafened and bewildered one ; and it was upwards of an hour ere the slow-moving chariot reached Sir Jasper's mansion, though not more than half a mile distant from the town. Mr. Ferret, mounted on the box, and almost smothered in purple and orange, was a conspicuous object, and a prime favourite with the crowd. The next day Lord Emsdale, glad, doubtless, to quit the neighbourhood as speedily as possible, left the castle, giving Lady Compton immediate possession. The joy of the tenantry was unbounded ; and under the wakeful superintendence of Mr. Ferret, all claims against Lord Emsdale for received rents, dilapidations, &c. were adjusted, we may be sure, *not* adversely to his client's interests ; though he frequently complained, not half so satisfactorily as if Lady Compton had not interfered, with what Mr. Ferret deemed misplaced generosity in the matter.

As I was obliged to proceed onwards with the circuit, I called at Compton Castle to take leave of my interesting and fortunate client a few days after her installation there. I was most gratefully received and entertained. As I shook hands at parting, her ladyship, after pressing upon me a diamond ring of

great value, said, whilst her charming eyes filled with regretful, yet joyful tears, “ Do not forget that poor Henry intended at last to do us justice.” Prosperity, thought I, will not spoil that woman. It *has* not, as the world, were I authorised to communicate her *real* name, would readily acknowledge.

## Experiences of a Barrister.

---

### THE MOTHER AND SON.

---

DINNER had been over about half-an-hour one Sunday afternoon—the only day on which for years I had been able to enjoy a dinner—and I was leisurely sipping a glass of wine, when a carriage drove rapidly up to the door, a loud *rat-tat* followed, and my friend Dr. Curteis, to my great surprise, was announced.

“I have called,” said the doctor as we shook hands, “to ask you to accompany me to Mount Place. I have just received a hurried note from Miss

Armitage, stating that her mother, after a very brief illness, is rapidly sinking, and requesting my attendance, as well as that of a legal gentleman, immediately."

"Mrs. Armitage!" I exclaimed, inexpressibly shocked. "Why, it is scarcely more than a fortnight ago that I met her at the Rochfords' in brilliant health and spirits."

"Even so. But will you accompany me? I don't know where to find any one else for the moment, and time presses."

"It is an attorney, probably, rather than a barrister that is needed; but under the circumstances, and knowing her as I do, I cannot hesitate."

We were soon bowling along at a rapid pace, and in little more than an hour reached the dying lady's residence, situated in the county of Essex, and distant about ten miles from London. We entered together; and Dr. Curteis, leaving me in the library, proceeded at once to the sick chamber. About ten minutes afterwards the housekeeper, a tall, foreign-looking, and rather handsome woman, came into the room, and announced that the doctor wished to see me. She was deadly pale, and, I observed, trembled like an aspen. I motioned her to precede me; and she, with unsteady steps, immediately led the way. So great was her agitation, that twice, in ascending the stairs, she only saved herself from falling by grasping the banister-rail. The presage I drew from

the exhibition of such overpowering emotion, by a person whom I knew to have been long not only in the service, but in the confidence of Mrs. Armitage, was soon confirmed by Dr. Curteis, whom we met coming out of the chamber of the expiring patient.

"Step this way," said he, addressing me, and leading to an adjoining apartment. "We do not require your attendance, Mrs. Bourdon," said he, as soon as we reached it, to the housekeeper, who had swiftly followed us, and now stood staring with eager eyes in the doctor's face, as if life and death hung on his lips. "Have the goodness to leave us," he added tartly, perceiving she did not stir, but continued her fearful, scrutinizing glance. She started at his altered tone, flushed crimson, then paled to a chalky whiteness, and muttering, left the apartment.

"The danger of her mistress has bewildered her," I remarked.

"Perhaps so," remarked Dr. Curteis. "Be that as it may, Mrs. Armitage is beyond all human help. In another hour she will be, as we say, no more."

"I feared so. What is the nature of her disorder?"

"A rapid wasting away, as I am informed. The appearances presented are those of a person expiring of atrophy, or extreme emaciation."

"Indeed. And so sudden too!"

"Yes. I am glad you are come, although your

professional services will not, it seems, be required—a neighbouring attorney having performed the necessary duty—something, I believe, relative to the will of the dying lady. We will speak further together by and by. In the meantime," continued Dr. Curteis, with a perceptible tremor in his voice, "it will do neither of us any harm to witness the closing scene of the life of Mary Rawdon, whom you and I twenty years ago worshipped as one of the gentlest and most beautiful of beings with which the Creator ever graced his universe. It will be a peaceful parting. Come."

Just as, with noiseless footsteps, we entered the silent death-chamber, the last rays of the setting sun were falling upon the figure of Ellen Armitage—who knelt in speechless agony by the bedside of her expiring parent—and faintly lighting up the pâle, emaciated, sunken features of the so lately brilliant, courted Mrs. Armitage! But for the ineffaceable splendour of her deep-blue eyes, I should scarcely have recognised her. Standing in the shadow, as thrown by the heavy bed-drapery, we gazed and listened unperceived.

"Ellen," murmured the dying lady, "come nearer to me. It is growing dark, and I cannot see you plainly. Now, then, read to me, beginning at the verse you finished with as good Dr. Curteis entered. Ay," she faintly whispered, "it is thus, Ellen, with thy hand clasped in mine, and with the words of the

holy book sounding from thy dear lips, that I would pass away!"

Ellen, interrupted only by her blinding tears, making sad stops, complied. Twilight stole on, and threw its shadow over the solemn scene, deepening its holiness of sorrow. Night came with all her train; and the silver radiance kissed into ethereal beauty the pale face of the weeping girl, still pursuing her sad and sacred task. We hesitated to disturb, by the slightest movement, the repose of a deathbed over which belief and hope, those only potent ministers, shed light and calm! At length Dr. Curteis advanced gently towards the bed, and taking the daughter's hand, said in a low voice, "Had you not better retire, my dear young lady, for a few moments?" She understood him, and rising from her knees, threw herself in an ecstacy of grief upon the corpse, from which the spirit had just passed away. Assistance was summoned, and the sobbing girl was borne from the chamber.

I descended, full of emotion, to the library, where Dr. Curteis promised shortly to join me. Noiselessly entering the room, I came suddenly upon the house-keeper and a tall young man, standing with their backs towards me in the recesses of one of the windows, and partly shrouded by the heavy cloth curtains. They were evidently in earnest conference, and several words, the significance of which did not at the moment strike me, reached my ears before they

perceived my approach. The instant they did so, they turned hastily round, and eyed me with an expression of flurried alarm, which at the time surprised me not a little. "All is over, Mrs. Bourdon," said I, finding she did not speak; "and your presence is probably needed by Miss Armitage." A flash of intelligence, as I spoke, passed between the pair; but whether indicative of grief or joy, so momentary was the glance, I should have been puzzled to determine. The housekeeper immediately left the room, keeping her eyes, as she passed, fixed upon me with the same nervous, apprehensive look which had before irritated Dr. Curteis. The young man followed more slowly. He was a tall and rather handsome youth, apparently about one or two-and-twenty years of age. His hair was black as jet, and his dark eyes were of singular brilliancy; but the expression, I thought, was scarcely a refined or highly intellectual one. His resemblance to Mrs. Bourdon, whose son indeed he was, was very striking. He bowed slightly, but courteously, as to an equal, as he closed the door, and I was left to the undisturbed enjoyment of my own reflections, which, ill-defined and indistinct as they were, were anything but pleasant company. My reverie was at length interrupted by the entrance of the doctor, with the announcement that the carriage was in waiting, to reconvey us to town.

We had journeyed several miles on our return before

a word was spoken by either of us. My companion was apparently even more painfully preoccupied than myself. He was, however, the first to break silence. "The emaciated corpse we have just left little resembles the gay, beautiful girl for whose smiles you and I were once disposed to shoot each other!" The doctor's voice trembled with emotion, and his face, I perceived, was pale as marble.

"Mary Rawdon," I remarked, "lives again in her daughter."

"Yes; her very image. Do you know," continued he, speaking with rapid energy, "I suspect Mary Rawdon—Mrs. Armitage, I would say—has been foully, treacherously dealt with!"

I started with amazement; and yet the announcement but embodied and gave form and colour to my own ill-defined and shadowy suspicions.

"Good heavens! How? By whom?"

"Unless I am greatly mistaken, she has been poisoned by an adept in the use of such destructive agents."

"Mrs. Bourdon?"

"No; by her son. At least my suspicions point that way. She is probably cognisant of the crime. But in order that you should understand the grounds upon which my conjectures are principally founded, I must enter into a short explanation. Mrs. Bourdon, a woman of Spanish extraction, and who formerly occupied a much higher position than she does now,

has lived with Mrs. Armitage from the period of her husband's death, now about sixteen years ago. Mrs. Bourdon has a son, a tall, good-looking fellow enough, whom you may have seen."

"He was with his mother in the library as I entered it after leaving you."

"Ah! Well, hem! This boy, in his mother's opinion—but that perhaps is somewhat excusable—exhibited early indications of having been born a 'genius.' Mrs. Armitage, who had been first struck by the beauty of the child, gradually acquired the same notion; and the result was, that he was little by little invested—with at least her tacit approval—with the privileges supposed to be the lawful inheritance of such gifted spirits; namely, the right to be as idle as he pleased—geniuses, you know, can, according to the popular notion, attain any conceivable amount of knowledge *per saltum* at a bound—and to exalt himself in the stilts of his own conceit above the useful and honourable pursuits suited to the station in life in which Providence had cast his lot. The fruit of such training soon showed itself. Young Bourdon grew up a conceited and essentially-ignorant puppy, capable of nothing but bad verses, and thoroughly impressed with but one important fact, which was, that he, Alfred Bourdon, was the most gifted and the most ill-used of all God's creatures. To genius, in any intelligible sense of the term, he has in truth no pretension. He is endowed,

however, with a kind of reflective talent, which is often mistaken by fools for *creative* power. The morbid fancies and melancholy scorn of a Byron, for instance, such gentry reflect back from their foggy imaginations in exaggerated and distorted feebleness of whining versicles, and so on with other lights celestial or infernal. This, however, by the way. The only rational pursuit he ever followed, and that only by fits and starts, and to gratify his faculty of ‘wonder,’ I fancy, was chemistry. A small laboratory was fitted up for him in the little summer-house you may have observed at the further corner of the lawn. This study of his, if study such desultory snatches at science may be called, led him, in his examination of vegetable bodies, to a smattering acquaintance with botany, a science of which Ellen Armitage is an enthusiastic student. They were foolishly permitted to *botanise* together, and the result was, that Alfred Bourdon, acting upon the principle that genius—whether sham or real—levels all merely mundane distinctions, had the impudence to aspire to the hand of Miss Armitage. His passion, sincere or simulated, has never been, I have reason to know, in the slightest degree reciprocated by its object; but so blind is vanity, that when, about six weeks ago, an *éclaircissement* took place, and the fellow’s dream was somewhat rudely dissipated, the untoward rejection of his preposterous suit was, there is every reason to believe, attributed by both mother and son

to the repugnance of *Mrs.* Armitage alone ; and to this idiotic hallucination she has, I fear, fallen a sacrifice. Judging from the emaciated appearance of the body, and other phenomena communicated to me by her ordinary medical attendant—a blundering ignoramus, who ought to have called in assistance long before—she has been poisoned with *iodine*, which, administered in certain quantities, would produce precisely the same symptoms. Happily there is no mode of destroying human life which so surely leads to the detection of the murderer as the use of such agents ; and of this truth the *post mortem* examination of the body, which takes place to-morrow morning, will, if I am not grossly mistaken, supply another vivid illustration. Legal assistance will no doubt be necessary, and I am sure I do not err in expecting that *you* will aid me in bringing to justice the murderer of Mary Rawdon ?”

A pressure of his hand was my only answer. “I shall call for you at ten o’clock,” said he, as he put me down at my own door. I bowed, and the carriage drove off.

“ Well ?” said I, as Dr. Curteis and Mr. —— the eminent surgeon entered the library at Mount Place the following morning after a long absence.

“ As I anticipated,” replied the doctor with a choking voice : “ she has been poisoned !”

I started to my feet. “ And the murderer ?”

“ Our suspicions still point to young Bourdon ; but

the persons of both mother and son have been secured."

" Apart?"

" Yes ; and I have despatched a servant to request the presence of a neighbour—a county magistrate. I expect him momentarily "

After a brief consultation, we all agree directed our steps to the summer-house which contained young Bourdon's laboratory. In the room itself nothing of importance was discovered but in an enclosed recess, which we broke open, we found a curiously fashioned glass bottle half full of iodine.

" This is it!" said Mr. —— ; " and in a powdered state too—just ready for mixing with brandy or any other available dissolvent." The powder had somewhat the appearance of fine black-lead. Nothing further of any consequence being observed, we returned to the house, where the magistrate had already arrived.

Alfred Bourdon was first brought in ; and he having been duly cautioned that he was not obliged to answer any question, and that what he did say would be taken down, and, if necessary, used against him, I proposed the following questions :—

" Have you the key of your laboratory?"

" No ; the door is always open."

" Well, then, of any door or cupboard in the room?"

At this question his face flushed purple : he stammered, " There is no"—and abruptly paused.

"Do I understand you to say there is no cupboard or place of concealment in the room?"

"No: here is the key."

"Has any one had access to the cupboard or recess of which this is the key, except yourself?"

The young man shook as if smitten with ague: his lips chattered, but no articulate sound escaped them.

"You need not answer the question," said the magistrate, "unless you choose to do so. I again warn you that all you say will, if necessary, be used against you."

"No one," he at length gasped, mastering his hesitation by a strong exertion of the will—"no one *can* have had access to the place but myself. I have never parted with the key."

Mrs. Bourdon was now called in. After interchanging a glance of intense agony, and, as it seemed to me, of affectionate intelligence with her son, she calmly answered the questions put to her. They were unimportant, except the last, and that acted upon her like a galvanic shock. It was this—"Did you ever struggle with your son on the landing leading to the bedroom of the deceased for the possession of this bottle?" and I held up that which we had found in the recess.

A slight scream escaped her lips; and then she stood rigid, erect, motionless, glaring alternately at me and at the fatal bottle with eyes that seemed starting from their sockets. I glanced towards the

son ; he was also affected in a terrible manner. His knees smote each other, and a clammy perspiration burst forth and settled upon his pallid forehead.

"Again I caution you," iterated the magistrate, "that you are not bound to answer any of these questions."

The woman's lips moved. "No—never!" she almost inaudibly gasped, and fell senseless on the floor.

As soon as she was removed, Jane Withers was called. She deposed that three days previously, as she was, just before dusk, arranging some linen in a room a few yards distant from the bedroom of her late mistress, she was surprised at hearing a noise just outside the door, as of persons struggling and speaking in low but earnest tones. She drew aside a corner of the muslin curtain of the window which looked upon the passage or corridor, and there saw Mrs. Bourdon striving to wrest something from her son's hand. She heard Mrs. Bourdon say, " You shall not do it," or " You shall not have it"—she could not be sure which. A noise of some sort seemed to alarm them : they ceased struggling, and listened attentively for a few seconds : then Alfred Bourdon stole off on tip-toe, leaving the object in dispute, which witness could not see distinctly, in his mother's hand. Mrs. Bourdon continued to listen, and presently Miss Armitage, opening the door of her mother's chamber, called her by name. She immediately placed what

was in her hand on the marble top of a side-table standing in the corridor, and hastened to Miss Armitage. Witness left the room she had been in a few minutes afterwards, and, curious to know what Mrs. Bourdon and her son had been struggling for, went to the table to look at it. It was an oddly-shaped glass bottle, containing a good deal of a blackish-gray powder, which, as she held it up to the light, looked like blacklead!"

"Would you be able to swear to the bottle if you saw it?"

"Certainly I should."

"By what mark or token?"

"The name of Valpy or Valpy was cast into it—that is, the name was in the glass itself."

"Is this it?"

"It is : I swear most positively."

A letter was also read which had been taken from Bourdon's pocket. It was much creased, and was proved to be in the handwriting of Mrs. Armitage. It consisted of a severe rebuke at the young man's presumption in seeking to address himself to her daughter, which insolent ingratitude, the writer said, she should never, whilst she lived, either forget or forgive. This last sentence was strongly underlined in a different ink from that used by the writer of the letter.

The surgeon deposed to the cause of death. It had been brought on by the action of ioline, which, admi-

nistered in certain quantities, produced symptoms as of rapid atrophy, such as had appeared in Mrs. Armitage. The glass bottle found in the recess contained iodine in a pulverised state.

I deposed that, on entering the library on the previous evening, I overheard young Mr. Bourdon, addressing his mother, say, "Now that it is done past recall, I will not shrink from any consequences, be they what they may!"

This was the substance of the evidence adduced; and the magistrate at once committed Alfred Bourdon to Chelmsford jail, to take his trial at the next assize for "wilful murder." A coroner's inquisition a few days after also returned a verdict of "wilful murder" against him on the same evidence.

About an hour after his committal, and just previous to the arrival of the vehicle which was to convey him to the county prison, Alfred Bourdon requested an interview with me. I very reluctantly consented; but steeled as I was against him, I could not avoid feeling dreadfully shocked at the change which so brief an interval had wrought upon him. It had done the work of years. Despair—black, utter despair—was written in every lineament of his expressive countenance.

"I have requested to see you," said the unhappy culprit, "rather than Dr. Curteis, because he, I know, is bitterly prejudiced against me. But *you* will not refuse, I think, the solemn request of a dying man—

for a dying man I feel myself to be—however long or short the interval which stands between me and the scaffold. It is not with a childish hope that any assertion of mine can avail before the tribunal of the law against the evidence adduced this day, that I, with all the solemnity befitting a man whose days are numbered, declare to you that I am wholly innocent of the crime laid to my charge. I have no such expectation; I seek only that you, in pity of my youth and untimely fate, should convey to her whom I have madly presumed to worship this message: ‘Alfred Bourdon was mad, but not blood-guilty; and of the crime laid to his charge he is innocent as an unborn child.’ ”

“The pure and holy passion, young man,” said I, somewhat startled by his impressive manner, “however presumptuous, as far as social considerations are concerned, it might be, by which you affect to be inspired, is utterly inconsistent with the cruel, dastardly crime of which such damning evidence has an hour since been given”—

“Say no more, sir,” interrupted Bourdon, sinking back in his seat, and burying his face in his hands: “it were a bootless errand; she *could* not, in the face of that evidence, believe my unsupported assertion! It were as well perhaps she did not. And yet, sir, it is hard to be trampled into a felon’s grave, loaded with the maledictions of those whom you would coin your heart to serve and bless! Ah, sir,” he continued,

whilst tears of agony streamed through his firmly-closed fingers, “you cannot conceive the unutterable bitterness of the pang which rends the heart of him who feels that he is not only despised, but loathed, hated, execrated, by her whom his soul idolises! Mine was no boyish, transient passion: it has grown with my growth, and strengthened with my strength. My life has been but one long dream of her. All that my soul had drunk in of beauty in the visible earth and heavens—the light of setting suns—the radiance of the silver stars—the breath of summer flowers, together with all which we imagine of celestial purity and grace, seemed to me in her incarnated, concentrated, and combined! And now lost—lost—for ever lost!” The violence of his emotions choked his utterance; and deeply and painfully affected, I hastened from his presence.

Time sped as ever onwards, surely, silently; and Justice, with her feet of lead, but hands of iron, closed gradually upon her quarry. Alfred Bourdon was arraigned before a jury of his countrymen, to answer finally to the accusation of wilful murder preferred against him.

The evidence, as given before the committing magistrate, and the coroner’s inquisition, was repeated with some addition of passionate expressions used by the prisoner indicative of a desire to be avenged on the deceased. The cross-examination by the counsel for the defence was able, but failed to

shake the case for the prosecution. His own admission, that no one but himself had access to the recess where the poison was found, told fatally against him. When called upon to address the jury, he delivered himself of a speech rather than a defence ; of an oratorical effusion, instead of a vigorous, and, if possible, damaging commentary upon the evidence arrayed against him. It was a laboured, and in part eloquent, exposition of the necessary fallibility of human judgment, illustrated by numerous examples of erroneous verdicts. His peroration I jotted down at the time :—“ Thus, my lord and gentlemen of the jury, is it abundantly manifest, not only by these examples, but by the testimony which every man bears in his own breast, that God could not have willed, could not have commanded, his creatures to perform a pretended duty, which he vouchsafed them no power to perform righteously. Oh, be sure that if he had intended, if he had commanded you to pronounce irreversible decrees upon your fellow-man, quenching that life which is his highest gift, he would have endowed you with gifts to perform that duty rightly ! Has he done so ? Ask not alone the pages dripping with innocent blood which I have quoted, but your own hearts ! Are you, according to the promise of the serpent-tempter, ‘ gods, knowing good from evil ? ’ of such clear omniscience, that you can hurl an unprepared soul before the tribunal of its Maker, in the full assurance

that you have rightly loosed the silver cord which he had measured, have justly broken the golden bowl which he had fashioned? Oh, my lord," he concluded, his dark eyes flashing with excitement, "it is possible that the first announcement of my innocence of this crime, to which you will give credence, may be proclaimed from the awful tribunal of Him who alone cannot err! How if He, whose eye is even now upon us, should then proclaim, '*I, too, sat in judgment on the day when you presumed to doom your fellow-worm; and I saw that the murderer was not in the dock, but on the bench!*' Oh, my lord, think well of what you do—pause ere you incur such fearful hazard; for be assured, that for all these things God will also bring *you* to judgment!"

He ceased, and sank back exhausted. His fervid declamation produced a considerable impression upon the auditory; but it soon disappeared before the calm, impressive charge of the judge, who reassured the startled jury, by reminding them that their duty was to honestly execute the law, not to dispute about its justice. For himself, he said, sustained by a pure conscience, he was quite willing to incur the hazard hinted at by the prisoner. After a careful and luminous summing up, the jury, with very slight deliberation, returned a verdict of "Guilty."

As the words passed the lips of the foreman of the jury, a piercing shriek rang through the court

It proceeded from a tall figure in black, who, with closely-drawn veil, had sat motionless during the trial, just before the dock. It was the prisoner's mother. The next instant she rose, and throwing back her veil, wildly exclaimed, "He is innocent—innocent, I tell ye! I alone"—

"Mother! mother! for the love of Heaven be silent!" shouted the prisoner with frantic vehemence, and stretching himself over the front of the dock, as if to grasp and restrain her.

"Innocent, I tell you!" continued the woman. "I—I alone am the guilty person! It was I alone that perpetrated the deed! He knew it not, suspected it not, till it was too late. Here," she added, drawing a sheet of paper from her bosom—"here is my confession, with each circumstance detailed!"

As she waved it over her head, it was snatched by her son, and, swift as lightning, torn to shreds. "She is mad! Heed her not—believe her not!" He at the same time shouted at the top of his powerful voice, "She is distracted—mad! Now, my lord, your sentence! Come!"

The tumult and excitement in the court no language which I can employ would convey an adequate impression of. As soon as calm was partially restored, Mrs. Bourdon was taken into custody: the prisoner was removed; and the court adjourned, of course without passing sentence.

It was even as his mother had said! Subsequent investigation, aided by her confessions, amply proved that the fearful crime was conceived and perpetrated by her alone, in the frantic hope of securing for her idolised son the hand and fortune of Miss Armitage. She had often been present with him in his laboratory, and had thus become acquainted with the uses to which certain agents could be put. She had purloined the key of the recess; and he, unfortunately too late to prevent the perpetration of the crime, had by mere accident discovered the abstraction of the poison. His subsequent declarations had been made for the determined purpose of saving his mother's life by the sacrifice of his own!

The wretched woman was not reserved to fall before the justice of her country. The hand of God smote her ere the scaffold was prepared for her. She was smitten with frenzy, and died raving in the Metropolitan Lunatic Asylum. Alfred Bourdon, after a lengthened imprisonment, was liberated. He called on me, by appointment, a few days previous to leaving this country for ever; and I placed in his hands a small pocket-Bible, on the fly-leaf of which was written one word—‘*Ellen!*’ His dim eye lighted up with something of its old fire as he glanced at the characters; he then closed the book, placed it in his bosom, and waving me a mute farewell—I saw he durst not trust himself to speak—hastily departed. I never saw him more!

## *Experiences of a Barrister.*

---

### **“THE WRIT OF HABEAS CORPUS.”**

---

IN the month of February of the year following that which witnessed the successful establishment of the claim of Sir Harry Compton's infant son to his magnificent patrimony, Mr. Samuel Ferret was travelling post with all the speed he could command towards Lancashire, in compliance with a summons from Lady Compton, requesting, in urgent terms, his immediate presence at the castle. It was wild and bitter weather, and the roads were in many places rendered dangerous, and almost impassable, by the

drifting snow. Mr. Ferret, however, pressed onwards with his habitual energy and perseverance; and, spite of all elemental and postboy opposition, succeeded in accomplishing his journey in much less time than, under the circumstances, could have been reasonably expected. But swiftly as, for those slow times, he pushed on, it is necessary I should anticipate, by a brief period, his arrival at his destination, in order to put the reader in possession of the circumstances which had occasioned the hurried and pressing message he had received.

Two days before, as Lady Compton and her sister, who had been paying a visit to Mrs. Allington at the Grange, were returning home towards nine o'clock in the evening, they observed, as the carriage turned a sharp angle of the road leading through Compton Park, a considerable number of lighted lanterns borne hurriedly to and fro in various directions, by persons apparently in eager but bewildered pursuit of some missing object. The carriage was stopped, and in answer to the servants' inquiries, it was replied that Major Brandon's crazy niece had escaped from her uncle's house; and although traced by the snow-tracks as far as the entrance to the park, had not yet been recovered. Mrs. Brandon had offered a reward of ten pounds to whoever should secure and reconduct her home; hence the hot pursuit of the fugitive, who, it was now supposed, must be concealed in the shrubberies. Rumours regarding this unfortunate

young lady, by no means favourable to the character of her relatives as persons of humanity, had previously reached Lady Compton's ears ; and she determined to avail herself, if possible, of the present opportunity to obtain a personal interview with the real or supposed lunatic. The men who had been questioned were informed that only the castle servants could be allowed to search for the missing person, either in the park or shrubberies ; and that if there, she would be taken care of, and restored to her friends in the morning. The coachman was then ordered to drive on ; but the wheels had not made half-a-dozen revolutions, when a loud shout at some distance, in the direction of the park, followed by a succession of piercing screams, announced the discovery and capture of the object of the chase. The horses were urged rapidly forward ; and ere more than a minute had elapsed, the carriage drew up within a few yards of the hunted girl and her captors. The instant it stopped, Clara Brandon, liberating herself by a frenzied effort from the rude grasp in which she was held by an athletic young man, sprang wildly towards it, and with passionate intreaty implored mercy and protection. The young man, a son of Mrs. Brandon's by a former husband, immediately re-seized her ; and with fierce violence endeavoured to wrench her hand from the handle of the carriage-door, which she clutched with desperate tenacity. The door flew open, the sudden jerk

disengaged her hold, and she struggled vainly in her captor's powerful grasp. “Save me! save me!” she frantically exclaimed, as she felt herself borne off. “You who are, they say, as kind and good as you are beautiful and happy, save me from this cruel man!”

Lady Compton, inexpressibly shocked by the piteous spectacle presented by the unhappy girl—her scanty clothing soiled, disarrayed, and torn by the violence of her struggles; her long flaxen tresses flowing disorderly over her face and neck in tangled dishevelment; and the pale, haggard, wild expression of her countenance—was for a few moments incapable of speech. Her sister was more collected: “Violet,” she instantly remonstrated, “do not permit this brutal violence.”

“What right has she or any one to interfere with us?” demanded the young man savagely. “This girl is Major Brandon's ward, as well as niece, and *shall* return to her lawful home! Stand back,” continued he, addressing the servants, who, at a gesture from Miss Dalston, barred his progress. “Withstand me at your peril!”

“Force her from him!” exclaimed Lady Compton, recovering her voice. “Gently! gently! I will be answerable for her safe custody till the morning!”

The athletic fellow struggled desperately; but however powerful and determined, he was only one man against a score, nearly all the bystanders being

tenants or labourers on the Compton estates; and spite of his furious efforts, and menaces of law and vengeance, Clara was torn from him in a twinkling, and himself hurled with some violence prostrate on the road. “Do not let them hurt the man,” said Lady Compton, as the servants placed the insensible girl in the carriage (she had fainted); “and tell him that if he has really any legal claim to the custody of this unfortunate person, he must prefer it in the morning.”

Immediately on arrival at the castle, the escaped prisoner was conveyed to bed, and medical aid instantly summoned. When restored to consciousness, whether from the effect of an access of fever producing temporary delirium, or from confirmed mental disease, her speech was altogether wild and incoherent—the only at all consistent portions of her ravings being piteously-iterated appeals to Lady Compton not to surrender her to her aunt-in-law, Mrs. Brandon, of whom she seemed to entertain an overpowering, indefinable dread. It was evident she had been subjected to extremely brutal treatment—such as, in these days of improved legislation in such matters, and greatly advanced knowledge of the origin and remedy of cerebral infirmity, would not be permitted towards the meanest human being, much less a tenderly-nurtured, delicate female. At length, under the influence of a composing draught, she sank gradually to sleep; and Lady Compton having

determined to rescue her, if possible, from the suspicious custody of her relatives, and naturally apprehensive of the legal difficulties which she could not doubt would impede the execution of her generous, if somewhat Quixotic project, resolved on at once sending off an express for Mr. Ferret, on whose acumen and zeal she knew she could place the fullest reliance.

Clara Brandon's simple history may be briefly summed up. She was the only child of a Mr. Frederick Brandon, who, a widower in the second year of his marriage, had since principally resided at the "Elms," a handsome mansion and grounds which he had leased of the uncle of the late Sir Harry Compton. At his decease, which occurred about two years previous to poor Clara's escape from confinement, as just narrated, he bequeathed his entire fortune, between two and three thousand pounds per annum, chiefly secured on land, to his daughter; appointed his elder brother, Major Brandon, sole executor of his will, and guardian of his child; and in the event of her dying before she had attained her majority—of which she wanted, at her father's death, upwards of three years—or without lawful issue, the property was to go to the major, to be by him willed at his pleasure. Major Brandon, whose physical and mental energies had been prematurely broken down—he was only in his fifty-second year—either by excess or hard service in the East, perhaps both, had

married late in life the widow of a brother officer, and the mother of a grown-up son. The lady, a woman of inflexible will, considerable remains of a somewhat masculine beauty, and about ten years her husband's junior, held him in a state of thorough pupilage ; and, unchecked by him, devoted all her energies to bring about, by fair or foul means, a union between Clara and her own son, a cub of some two or three-and-twenty years of age, whose sole object in seconding his mother's views upon Clara was the acquisition of her wealth. According to popular surmise and report, the young lady's mental infirmity had been brought about by the persecutions she had endured at the hands of Mrs. Brandon, with a view to force her into a marriage she detested. The most reliable authority for the truth of these rumours was Susan Hopley, now in the service of Lady Compton, but who had lived for many years with Mr. Frederick Brandon and his daughter. She had been discharged about six months after her master's decease by Mrs. Major Brandon for alleged impertinence ; and so thoroughly convinced was Susan that the soon-afterwards alleged lunacy of Clara was but a juggling pretence to excuse the restraint under which her aunt-in-law, for the furtherance of her own vile purposes, had determined to keep her, that although out of place at the time, she devoted all the savings of her life, between eighty and ninety pounds, to procure "justice" for the ill-used orphan. This

article, Susan was advised, could be best obtained of the lord chancellor; and proceedings were accordingly taken before the keeper of the king's conscience, in order to change the custody of the pretended lunatic. The affidavits filed in support of the petition were, however, so loose and vague, and were met with such positive counter-allegations, that the application was at once dismissed with costs; and poor Susan—rash suitor for “justice”—reduced to absolute penury. These circumstances becoming known to Lady Compton, Susan was taken into her service; and it was principally owing to her frequently-iterated version of the affair that Clara had been forcibly rescued from Mrs. Brandon's son.

On the following morning the patient was much calmer, though her mind still wandered somewhat. Fortified by the authority of the physician, who certified that to remove her, or even to expose her to agitation, would be dangerous, if not fatal, Lady Compton not only refused to deliver her up to Major and Mrs. Brandon, but to allow them to see her. Mrs. Brandon, in a towering rage, posted off to the nearest magistrate, to demand the assistance of peace-officers in obtaining possession of the person of the fugitive. That functionary would, however, only so far comply with the indignant lady's solicitations, as to send his clerk to the castle to ascertain the reason of the young lady's detention; and when his messenger

returned with a note, enclosing a copy of the physician's certificate, he peremptorily decided that the conduct of Lady Compton was not only perfectly justifiable, but praiseworthy, and that the matter must remain over till the patient was in a condition to be moved. Things were precisely in this state, except that Clara Brandon had become perfectly rational; and but for an irrepressible nervous dread of again falling into the power of her unscrupulous relative, quite calm, when Mr. Samuel Ferret made his wished-for appearance on the scene of action.

Long and anxious was the conference which Mr. Ferret held with his munificent client and her interesting protégée, if conference that may be called in which the astute attorney enacted the part of listener only, scarcely once opening his thin, cautious lips. In vain did his eager brain silently ransack the whole armoury of the law; no weapon could he discern which afforded the slightest hope of fighting a successful battle with a legally-appointed guardian for the custody of his ward. And yet Mr. Ferret felt, as he looked upon the flashing eye and glowing countenance of Lady Compton, as she recounted a few of the grievous outrages inflicted upon the fair and helpless girl reclining beside her—whose varying cheek and meek suffused eyes bore eloquent testimony to the truth of the relation—that he would willingly exert a vigour even *beyond* the law to meet his client's

wishes, could he but see his way to a safe result. At length a ray of light, judging from his suddenly-gleaming eyes, seemed to have broken upon the troubled chambers of his brain, and he rose somewhat hastily from his chair.

"By-the-by, I will just step and speak to this Susan Hopley, if your ladyship can inform me in what part of the lower regions I am likely to meet with her?"

"Let me ring for her."

"No; if you please, not. What I have to ask her is of very little importance; still, to summon her here might give rise to surmises, reports, and so on, which it may be as well to avoid. I had much rather see her accidentally as it were."

"As you please. You will find her somewhere about the housekeeper's apartments. You know her by sight, I think?"

"Perfectly; and with your leave I'll take the opportunity of directing the horses to be put to. I must be in London by noon to-morrow if possible;" and away Mr. Ferret hustled.

"Susan," said Mr. Ferret a few minutes afterwards, "step this way; I want to have a word with you. Now, tell me are you goose enough to expect you will ever see the money again you so foolishly threw into the bottomless pit of chancery?"

"Of course I shall, Mr. Ferret, as soon as ever Miss Clara comes to her own. She mentioned it only this

morning, and said she was sorry she could not repay me at once."

" You are a sensible girl, Susan, though you *did* go to law with the lord chancellor! I want you to be off with me to London; and then perhaps we may get your money sooner than you expect."

" Oh, bother the money! Is that *all* you want me to go to Lunnon for?"

Mr. Ferret replied with a wink of such exceeding intelligence, that Susan at once declared she should be ready to start in ten minutes at the latest.

" That's a good creature; and, Susan, as there's not the slightest occasion to let all the world know who's going to run off with you, it may be as well for you to take your bundle and step on a mile or so on the road, say to the turn, just beyond the first turnpike." Susan nodded with brisk good-humour, and disappeared in a twinkling.

An hour afterwards, Mr. Ferret was on his way back to London, having first impressed upon Lady Compton the necessity of relieving herself of the grave responsibility she had incurred towards Major Brandon for the safe custody of his ward, by sending her home immediately. He promised to return on the third day from his departure; but on the nature of the measures he intended to adopt, or the hopes he entertained of success, he was inflexibly silent; and he moreover especially

requested that no one, not even Miss Brandon, should know of Susan Hopley's journey to the metropolis.

Mr. Ferret, immediately on his arrival in town, called at my chambers, and related with his usual minuteness and precision as many of the foregoing particulars as he knew and thought proper to communicate to me. For the rest I am indebted to subsequent conversations with the different parties concerned.

"Well," said I, as soon as he had concluded, "what course do you propose to adopt?"

"I wish you to apply, on this affidavit, for a writ of *habeas ad sub.*, to bring up the body of Clara Brandon. Judge Bailey will be at chambers at three o'clock: it is now more than half-past two, and I can be off on my return by four at latest."

"A writ of habeas!" I exclaimed with astonishment. "Why, what end can that answer? The lady will be remanded, and you and I shall be laughed at for our pains."

This writ of *habeas corpus* "*ad subjiciendum*," I had better explain to the non-professional reader, is the great *prerogative* writ, the operation of which is sometimes suspended by the legislature during political panics. It is grounded on the principle that the sovereign has at all times a right to inquire, through the judges of the superior courts, by what authority his or her subject is held in constraint. It issues, as

a matter of right, upon the filing of an affidavit, averring that to the best of the belief of the deponent the individual sought to be brought up is illegally confined; and it is of the essence of the proceeding, that the person alleged to be suffering unlawful constraint should actually be brought before the “queen herself;” that is, before one or more of the judges of the court which has issued the writ, who, if they find *the detention illegal*, the only question at issue upon this writ, may discharge or bail the party. It was quite obvious, therefore, that in this case such a proceeding would be altogether futile, as the detention in the house of her guardian, under the sanction, too, of the lord chancellor, the *ex-officio* custodier of all lunatics—of a ward of alleged disordered intellect—was clearly legal, at least *prima facie* so, and not to be disturbed under a *habeas ad sub.* at all events.

“Perhaps so,” replied Ferret quite coolly in reply to my exclamation; “but I am determined to try every means of releasing the unfortunate young lady from the cruel thraldom in which she is held by that harridan of an aunt-in-law. She is no more really insane than you are; but at the same time so excitable upon certain topics, that it might be perhaps difficult to disabuse the chancellor or a jury of the impression so industriously propagated to her prejudice. The peremptory rejection by her guardian of young Burford’s addresses, though sanctioned by her father: you know the Burfords?”

"Of Grosvenor Street, you mean—the East India director?"

"Yes, his son; and that reminds me that the declaration in that everlasting exchequer case must be filed to-morrow. Confound it, how this flying about the country puts one out! I thought some one had kidnapped her son, or fired Compton Castle at least. By the way, I am much deceived if there isn't a wedding there before long."

"Indeed!"

"Yes, Miss Dalston with Sir Jasper's eldest hope."

"You don't mean it?"

"*They* do at all events, and that is much more to the purpose. A fine young fellow enough, and sufficiently rich too"—

"All which rambling talk and anecdote," cried I, interrupting him, "means, if I have any skill in reading Mr. Ferret, that that gentleman, having some ulterior purpose in view, which I cannot for the moment divine, is determined to have this writ, and does not wish to be pestered with any argument on the subject. Be it so: it is your affair, not mine. And now, as it is just upon three o'clock, let me see your affidavit."

I ran it over. "Rather loose this, Mr. Ferret, but I suppose it will do."

"Well, it *is* rather loose, but I could not with safety sail much closer to the wind. By the by I think you had better first apply for a rule to stay

proceedings against the bail in that case of Turner; and after that is decided, just ask for this writ, off-hand as it were, and as a matter of course. His lordship may not then scrutinise the affidavit quite so closely as if he thought counsel had been brought to chambers purposely to apply for it."

"Cautious, Mr. Ferret! Well, come along, and I'll see what I can do."

The writ was obtained without difficulty; few questions were asked; and at my request the judge made it returnable immediately. By four o'clock, Mr. Ferret, who could fortunately sleep as well in a postchaise as a feather-bed, was, as he had promised himself, on his road to Lancashire once more, where he had the pleasure of serving Major Brandon personally; at the same time tendering in due form the one shilling per mile fixed by the statute as preliminary travelling charges. The vituperative eloquence showered upon Mr. Ferret by the major's lady was, I afterwards heard, extremely copious and varied, and was borne by him, as I could easily believe, with the most philosophic composure.

In due time the parties appeared before Mr. Justice Bailey. Miss Brandon was accompanied by her uncle, his wife, and a solicitor; and in spite of everything I could urge, the judge, as I had foreseen, refused to interfere in the matter. The poor girl was dreadfully agitated, but kept, nevertheless, her eyes upon Mr. Ferret, as the source from which, spite of

what was passing around her, effectual succour was sure to come. As for that gentleman himself, he appeared composedly indifferent to the proceedings; and indeed, I thought, seemed rather relieved than otherwise when they terminated. I could not comprehend him. Mrs. Brandon, the instant the case was decided, clutched Clara's arm within hers, and, followed by her husband and the solicitor, sailed out of the apartment with an air of triumphant disdain and pride. Miss Brandon looked round for Ferret, but not perceiving him—he had left hastily an instant or two before—her face became deadly pale, and the most piteous expression of hopeless despair I had ever beheld broke from her troubled but singularly-expressive eyes. I mechanically followed, with a half-formed purpose of remonstrating with Major Brandon in behalf of the unfortunate girl, and was by that means soon in possession of the key to Mr. Ferret's apparently inexplicable conduct.

The Brandon party walked very fast, and I had scarcely got up with them as they were turning out of Chancery Lane into Fleet Street, when two men, whose vocation no accustomed eye could for an instant mistake, arrested their further progress. “This lady,” said one of the men, slightly touching Miss Brandon on the shoulder, “is, I believe, Clara Brandon?”

“Yes, she is; and what of that, fellow?” demanded the major's lady with indignant emphasis.

"Not much, ma'am," replied the sheriff's officer, "when you are used to it. It is my unpleasant duty to arrest her for the sum of eighty-seven pounds, indorsed on this writ, issued at the suit of one Susan Hopley."

"Arrest her!" exclaimed Mrs. Brandon; "why, she is a minor!"

"Minor or major, ma'am, makes very little difference to us. She can plead that hereafter, you know. In the meantime, miss, please to step into this coach," replied the officer, holding the door open.

"But she's a person of unsound mind," screamed the lady, as Clara, nothing loath, sprang into the vehicle.

"So are most people that do business with our establishment," responded the imperturbable official, as he shut and fastened the door. "Here is my card, sir," he added, addressing the attorney, who now came up. "You see where to find the lady, if her friends wish to give bail to the sheriff, or, what is always more satisfactory, pay the debt and costs." He then jumped on the box, his follower got up behind, and away drove the coach, leaving the discomfited major and his fiery better-half in a state of the blankest bewilderment!

"Why, what *is* the meaning of this?" at length gasped Mrs. Brandon, fiercely addressing the attorney, as if *he* were a *particeps criminis* in the affair.

"The meaning, my dear madam, is, that Miss

Clara Brandon is arrested for debt, and carried off to a spunging-house; and that unless you pay the money, or file bail, she will to-morrow be lodged in jail," replied the unmoved man of law.

"Bail! money! How are we to do either in London, away from home?" demanded the major with, for him, much emotion.

I did not wait to hear more, but, almost suffocated with laughter at the success of Ferret's audacious *ruse*, hastened over to the Temple. I was just leaving chambers for the night—about ten o'clock I think it must have been—when Ferret, in exuberant spirits, burst into the room.

"Well, sir, what do you think *now* of a writ *ad sub.*?"

"Why, I think, Mr. Ferret," replied I, looking as serious as I could, "that yours is very sharp practice; that the purpose you have put it to is an abuse of the writ; that the arrest is consequently illegal; and that a judge would, upon motion, quash it with costs."

"To be sure he would: who doubts that? Let him, and welcome! In the meantime, Clara Brandon is safe beyond the reach of all the judges or chancellors that ever wore horse-hair, and that everlasting simpleton of a major and his harridan wife roaming the metropolis like distracted creatures; and that I take to be the real essence of the thing, whatever the big-wigs may decide about the shells!"

“ I suppose the plaintiff soon discharged her debtor out of custody ? ”

“ Without loss of time, you may be sure. Miss Brandon, I may tell *you*, is with the Rev. Mr. Derwent at Brompton. You know him : the newly-married curate of St. Margaret’s that was examined in that will case. Well, him : he is an intelligent, high-principled man ; and I have no doubt that, under his and Mrs. Derwent’s care, all trace of Miss Brandon’s mental infirmity will disappear long before she attains her majority next June twelvemonth ; whilst the liberal sum per month which Lady Compton will advance, will be of great service to him.”

“ That appears all very good. But are you sure you can effectually conceal the place of her retreat ? ”

“ I have no fear : the twigs that will entangle her precious guardians in the labyrinths of a false clue are already set and limed. Before to-morrow night they will have discovered, by means of their own wonderfully-penetrative sagacity, that Clara has been spirited over to France ; and before three months are past, the same surprising intelligence will rejoice in the discovery that she expired in a *maison de santé*—fine comfortable repose, in which fool’s paradise I hope to have the honour of awakening them about next June twelvemonth, and not, as at present advised, before.”

Everything fortunately turned out as Mr. Ferret

anticipated; and when a few months had glided by, Clara Brandon was a memory only, save of course to the few intrusted with the secret.

The whirligig of time continued as ever to speed on its course, and bring round in due season its destined revenges. The health, mental and bodily, of Miss Brandon rapidly improved under the kind and judicious treatment of Mr. and Mrs. Derwent; and long before the attainment of her majority, were pronounced by competent authority to be thoroughly re-established. The day following that which completed her twenty-first year, Mr. Ferret, armed with the necessary authority, had the pleasure of announcing to the relict of Major Brandon (he had been dead some months), and to her brutal son, that they must forthwith depart from the home in which they, to the very moment of his announcement, thought themselves secure; and surrender every shilling of the property they had so long dreamt was their own. They were prostrated by the intelligence, and proved as mean and servile in the hour of adversity, as they had been insolent and cruel in the day of fancied success and prosperity. The pension of three hundred pounds a year for both their lives, proffered by Miss Brandon, was eagerly accepted; and they returned to the obscurity from which they had by accident emerged.

About six months afterwards, I had the pleasure of drawing up the marriage settlements between Clara

Brandon and Herbert Burford; and a twelvemonth after, that of standing sponsor to one of the lustiest brats ever sprinkled at a font: none of which delightful results, if we are to believe Mr. Ferret, would have ever been arrived at had not he, at a very critical moment, refused to take counsel's opinion upon the virtues, capabilities, and powers contained in the great writ of *habeas corpus ad subjiciendum*.

## *Experiences of a Barrister.*

---

ESTHER MASON.

---

ABOUT forty years ago, Jabez Woodford, a foreman of shipwrights in the Plymouth dockyard, whilst carelessly crossing one of the transverse beams of a seventy-four gun ship, building in that arsenal, missed his footing, fell to the bottom of the hold of the huge vessel, and was killed on the spot. He left a widow and one child—a boy seven years of age, of placid, endearing disposition, but weak intellect—almost in a state of destitution. He had been a coarse-tempered, improvident man; and like too

many of his class, in those days at least, dissipated the whole of his large earnings in present sensuous indulgence, utterly careless or unmindful of the future. Esther Woodford, who, at the time of her husband's death, scarcely numbered five-and-twenty years, was still a remarkably comely, as well as interesting, gentle-mannered person; and moreover had, for her station in life, received a tolerable education. Her rash, ill-assorted marriage with Woodford had been hastily contracted when she was barely seventeen years of age, in consequence of a jealous pique which she, for some silly reason or other, had conceived regarding Henry Mason, an intelligent, young seafaring man, of fair prospects in life, and frank disposition, with whom she had for some time previously, as the west-country phrase has it, "kept company," and who was, moreover, tenderly attached to her. Esther's married life was one long repentance of the rash act; and the severance of the tie which bound her to an ungenial mate—after the subsidence of the natural horror and compassion excited by the sudden and frightful nature of the catastrophe—must have been felt as a most blessed relief. A few weeks afterwards she accepted an asylum with her brother-in-law, Davies, a market-gardener in the vicinity of Plymouth, where, by persevering industry with her needle, and thrifty helpfulness in her sister's household duties, she endeavoured to compensate her kind-hearted relatives for the support of herself and

helpless, half-witted child. Mason she had never seen since the day previous to her marriage; but she knew he was prospering in the busy world, and that, some time before her husband's death, he had been appointed chief-mate in a first-class merchant-ship trading to the Pacific. He had sailed about a fortnight previous to that event; and now, ten lazy months having slowly floated past, the lover of her youth, with whom, in that last sunny day of her young life—how distant did it seem viewed through the long intervening vista of days and nights of grief and tears!—she had danced so joyously beneath the flowering chestnut-trees, was once more near her; and it was—oh happiness!—no longer a sin to think of him—no longer a crime to recall and dwell upon the numberless proofs of the deep affection, the strong love, he had once felt for her. *Once* felt! Perhaps even now!— How swiftly had the intelligence communicated by her sympathising sister tinted with bright hues the dark curtain of the future!

“And yet,” murmured poor Esther, the flush of hope fading as suddenly as it had arisen, as with meek sad eyes she glanced at the reflection of her features in the small oval glass suspended over the mantelpiece, “I almost doubt, Susy dear, if he would recognise me; even if old feelings and old times have not long since faded from his memory”—

“Stuff and trumpery about fading away!” broke in Mrs. Davies. “Henry Mason is the same true-hearted man he was eight years ago; and as a proof that he is, just read this letter, which I promised him to give you. There, don’t go falling into a flustration; don’t now, Esther, and to-morrow market-day and all! Don’t cry, Esther,” she added vehemently, but at the same time sobbing furiously herself, and throwing her arms round her sister’s neck: “but perhaps—perhaps it will do us good, both of us!”

It may be necessary to state that I owe the foregoing particulars to the interest felt by my wife—herself a native of beautiful Devon—in the fortunes of this humble household. Esther was her foster-sister; and it happened that just at this period, it being vacation-time, we were paying a visit to a family in the neighbourhood. A few hours after the receipt of the welcome letter, my wife chanced to call on Esther relative to some fancy needle-work; and on her return, I was of course favoured with very full and florid details of this little bit of cottage romance; the which I, from regard to the reader, have carefully noted down, and as briefly as possible expressed.

We met Henry Mason with his recovered treasure on the following evening; and certainly a more favourable specimen of the vigorous, active, bold-featured, frank-spoken British seaman I never met

with. To his comparatively excellent education—for which, I understood, he was indebted to his mother, a superior woman, who, having fallen from one of the little heights of society, had kept a school at Plymouth—in addition to his correct and temperate habits, he was indebted for the rapid advance—he was but a few months older than Esther—he had obtained in the merchant service. The happiness which beamed upon Esther's face did not appear to be of the exuberant, buoyant character that kindled the ruddy cheek and ran over at the bright, honest eyes of the hardy sailor; there seemed to mingle with it a half-doubting, trembling apprehensiveness; albeit it was not difficult to perceive that, sorrowfully as had passed her noon of prime, an “Indian summer” of the soul was rising upon her brightened existence, and already with its first faint flushes lighting up her meek, doubting eyes, and pale, changing countenance. Willy, her feeble-minded child, frisked and gambolled by their side; and altogether a happier group than they would, I fancy, have been difficult to find in all broad England.

The next week they were married; and one of the partners in the firm by which Mason was employed happening to dine with us on the day of the wedding, the conversation turned for a few minutes on the bridegroom's character and prospects.

"He has the ring of true metal in him," I remarked; "and is, I suppose, a capital seaman?"

"A first-rate one," replied Mr. Roberts. "Indeed so high is my father's opinion of him, that he intends to confer upon him the command of a fine brig now building for us in the Thames, and intended for the West India trade. He possesses also singular courage and daring. Twice, under very hazardous circumstances, he has successfully risked his life to save men who had fallen overboard. He is altogether a skilful, gallant seaman."

"Such a man," observed another of the company, "might surely have aspired higher than to the hand of Esther Woodford, dove-eyed and interesting as she may be?"

"Perhaps so," returned Mr. Roberts, a little curtly; "though he, it seems, could not have thought so. Indeed it is chiefly of simple-hearted, chivalrous-minded men like Mason that it can be with general truth observed—

"On revient toujours à ses premiers amours."

The subject then dropped, and it was a considerable time afterwards, and under altogether altered circumstances, when the newly-married couple once more crossed my path in life.

It was about eight months after his marriage—though he had been profitably enough employed in the interim—that Henry Mason, in consequence of

the welcome announcement that the new brig was at last ready for her captain and cargo, arrived in London to enter upon his new appointment.

"These lodgings, Esther," said he, as he was preparing to go out, soon after breakfast, on the morning after his arrival, "are scarcely the thing; and as I, like you, am a stranger in Cockney-land, I had better consult some of the firm upon the subject before we decide upon permanent ones. In the meantime, you and Willy must mind and keep in doors when I am not with you, or I shall have one or other of you lost in this great wilderness of a city. I shall return in two or three hours. I will order something for dinner as I go along: I have your purse. Good-by: God bless you both."

Inquiring his way every two or three minutes, Mason presently found himself in the vicinity of Tower Stairs. A scuffle in front of a public-house attracted his attention; and his ready sympathies were in an instant enlisted in behalf of a young sailor, vainly struggling in the grasp of several athletic men, and crying lustily to the gaping bystanders for help. Mason sprang forward, caught one of the assailants by the collar, and hurled him with some violence against the wall. A fierce outcry greeted this audacious interference with gentlemen who, in those good old times, were but executing the law in a remarkably good old manner. Lieutenant Donnaghue, a somewhat celebrated snapper-up of loose

mariners, emerged upon the scene; and in a few minutes was enabled to exult in the secure possession of an additional prize in the unfortunate Henry Mason, who, too late, discovered that he had embroiled himself with a *pressgang!* Desperate, frenzied were the efforts he made to extricate himself from the peril in which he had rashly involved himself. In vain! His protestations that he was a mate, a captain in the merchant service, were unheeded or mocked at.

To all his remonstrances he only got the professional answer — “His majesty wants you, and that is enough; so come along and no more about it.”

Bruised, exhausted, almost mad, he was borne off in triumph to a boat, into which he was thrust with several others, and swiftly rowed off to a receiving-ship in the river. Even there his assertions and protestations were of no avail. Nothing but an Admiralty order, the officer in command candidly told him, should effect his liberation. His majesty was in need of seamen; and he was evidently too smart a one to be deprived of the glory of serving his country. “You must therefore,” concluded the officer, as he turned laughingly upon his heel, “do as thousands of other fine fellows have been compelled to do — ‘grin and bear it.’” In about three weeks from the date of his impressment Mason found himself serving in the Mediterranean on board the “*Activo*” frigate, Captain Alexander Gordon, without having

been permitted one opportunity of communicating with the shore. This was certainly very sharp, but it was not the less very *common* practice in those great days of triumphant battles by land and sea.

Very drearily passed the time with the bereaved wife. Her husband had promised to send home something for dinner, and various groceries; yet hour after hour went past, and nothing arrived. Morning flushed into noon, day faded to twilight, and still the well-known and always eager step sounded not upon the stairs! What could have detained him from his wife, shut up, imprisoned, as it were, in that hot, hurrying, stifling city? She feared to listen to the suggestions of her boding heart; and with feverish restlessness ran out upon the landing, and peered over the stairs every time a knock or ring was heard at the street-door. This strange behaviour was, it seems, noticed by the landlady of the lodging-house, and injuriously interpreted. A knock came to the door, and that person entered to know at what time *Mrs. —*, she had forgotten the young woman's name, expected the dinner, she, the landlady, had undertaken to cook.

Esther timidly replied that her husband had promised to return in two or three hours at latest; and that she did not comprehend his continued absence—was indeed quite alarmed about it—

“Your husband!” said the woman, glancing inso-

lently at Esther's figure; “are you sure he *is* your husband?”

The hot blood suffused the temples of the indignant wife as she said, “This apartment, madam, I believe is mine.”

“Oh, certainly, as long as you can pay for it;” and rudely slamming the door, the landlady departed.

The long wretched night at last over, Esther rose with the light; and after giving her son his breakfast from the remains of that of the day before, set off with him to the place of business of the Messrs. Roberts. It was early, and one clerk only had as yet arrived at the office. He informed her that Mr. Henry Mason had not been seen, and that the partners were greatly annoyed about it, as his immediate presence was absolutely necessary.

Stunned, terrified, bewildered by the frightful calamity which she believed had befallen her, she felt convinced that her husband had been entrapped and murdered for the sake of the money he had about him: the wretched woman tottered back to her lodgings, and threw herself on the bed in wild despair. What was to be done for food even for her boy? Her husband had not only his pocket-book with him containing his larger money, but had taken her purse! She was alone and penniless in a strange city! The hungry wailings of her witless child towards evening at length aroused her from the stupor of despair into which she had fallen. The miserable resource of

pawning occurred to her: she could at least, by pledging a part of her wardrobe, procure sustenance for her child till she could hear from her sister; and with trembling hands she began arranging a bundle of such things as she could best spare, when the landlady abruptly entered the room, with a peremptory demand—as her husband was not returned, and did not appear likely to do so—for a month's rent in advance, that being the term the apartments were engaged for. The tears, entreaties, expostulations of the miserable wife were of no avail. Not one article, the woman declared, should leave her house till her claim was settled. She affected to doubt, perhaps really did so, that Esther was married; and hinted coarsely at an enforcement of the laws against persons who had no visible means of subsistence. In a paroxysm of despair, the unhappy woman rushed out of the house; and, accompanied by her hungry child, again sought the counting-house of the Messrs. Roberts. She was now as much too late as she had been too early in the morning: the partners and clerks had gone, and she appears to have been treated with some rudeness by the porter, who was closing the premises when she arrived. Possibly the wildness of her looks, and the incoherence of her speech and manner, produced an impression unfavourable to her. Retracing her steps—penniless, hungry, sick at heart—she thought, as she afterwards declared, that she recognised my wife in one of the numerous ladies

seated before the counters of a fashionable shop in one of the busiest thoroughfares. She entered, and not till she approached close to the lady discovered her mistake. She turned despairingly away; when a piece of rich lace, lying apparently unheeded on the counter, met her eye, and a dreadful suggestion crossed her fevered brain: here at least was the means of procuring food for her wailing child. She glanced hastily and fearfully around. No eye, she thought, observed her; and, horror of horrors! a moment afterwards she had concealed the lace beneath her shawl, and with tottering feet was hastily leaving the shop. She had not taken half-a-dozen steps when a heavy hand was laid upon her shoulder, and a voice, as of a serpent hissing in her ear, commanded her to restore the lace she had stolen. Transfixed with shame and terror, she stood rooted to the spot, and the lace fell on the floor.

“Fetch an officer,” said the harsh voice, addressing one of the shopmen.

“No—no—no!” screamed the wretched woman, falling on her knees in wild supplication. “For my child’s sake—in mercy of the innocent babe as yet unborn—pity and forgive me!”

The harsh order was iterated; and Esther Mason, fainting with shame and agony, was conveyed to the prison in Giltspur Street. The next day she was fully committed to Newgate on the capital charge of privately stealing in a shop to the value of five pounds.

A few hours after her incarceration within those terrible walls, she was prematurely delivered of a female child.

I have no moral doubt whatever, I never have had, that at the time of the committal of the felonious act, the intellect of Esther Mason was disordered. Any other supposition is inconsistent with the whole tenor of her previous life and character. "Lead us not into temptation" is indeed the holiest, because the humblest prayer.

Three weeks had elapsed before the first intimation of these events reached me, in a note from the chaplain of Newgate, an excellent, kind-hearted man, to whom Mrs. Mason—who was prematurely confined of a still-born child—had confided her sad story. I immediately hastened to the prison; and in a long interview with her, elicited the foregoing statement. I readily assured her that all which legal skill could do to extricate her from the awful position in which she stood, the gravity of which I did not affect to conceal, should be done. The offence with which she was charged had supplied the scaffold with numberless victims; and tradesmen were more than ever clamorous for the stern execution of a law which, spite of experience, they still regarded as the only safeguard of their property. My wife was overwhelmed with grief; and in her anxiety to save her unhappy foster-sister, sought, without my knowledge, an interview with the prosecutor, in the hope of

inducing him not to press the charge. Her efforts were unavailing. He had suffered much, he said, from such practices, and was “upon principle” determined to make an example of every offender he could catch. As to the plea that her husband had been forcibly carried off by a pressgang, it was absurd; for what would become of the property of tradesmen if the wife of every sailor so entrapped were to be allowed to plunder shops with impunity? This magnificent reasoning was of course unanswerable, and the rebuked petitioner abandoned her bootless errand in despair. Messrs. Roberts, I should have mentioned, had by some accident discovered the nature of the misfortune which had befallen their officer, and had already made urgent application to the Admiralty for his release.

The Old Bailey sessions did not come on for some time: I, however, took care to secure at once, as I did not myself practise in that court, the highest talent which its bar afforded. Willy, who had been placed in a workhouse by the authorities, we had properly taken care of till he could be restored to his mother; or, in the event of her conviction, to his relatives in Devonshire.

The sessions were at last on: a “true bill” against Esther Mason for shoplifting, as it was popularly termed, was unhesitatingly found, and with a heavy heart I wended my way to the court to watch the proceedings. A few minutes after I entered, Mr.

Justice Le Blanc and Mr. Baron Wood, who had assisted at an important case of stockjobbing conspiracy, just over, left the bench ; the learned recorder being doubtless considered quite equal to the trial of a mere capital charge of theft.

The prisoner was placed in the dock ; but try as I might, I could not look at her. It happened to be a calm bright summer day ; the air, as if in mockery of those death-sessions, humming with busy, lusty life ; so that, sitting with my back to the prisoner, I could, as it were, read her demeanour in the shadow thrown by her figure on the opposite sun-lighted wall. There she stood, during the brief moments which sealed her earthly doom, with downcast eyes and utterly dejected posture ; her thin fingers playing mechanically with the flowers and sweet-scented herbs spread scantily before her. The trial was very brief ; the evidence, emphatically conclusive, was confidently given, and vainly cross-examined. Nothing remained but an elaborate *ad misericordiam* excusative defence, which had been prepared by me, and which the prisoner begged her counsel might be allowed to read. This was of course refused ; the recorder remarking, they might as well allow counsel for felons to address juries, as read defences ; and *that*, as every practical man knew, would be utterly subversive of the due administration of justice. The clerk of the court would read the paper, if the prisoner felt too agitated to do so. This was done ; and very vilely done. The clerk, I

dare say, read as well as he was able ; but old, near-sighted, and possessed of anything but a clear enunciation, what could be expected ? The defence, so read, produced not the slightest effect either on the court or jury. The recorder briefly commented on the conclusiveness of the evidence for the prosecution, and the jury, in the same brief, business-like manner, returned a verdict of Guilty.

“ What have you to say,” demanded the clerk, “ why sentence of death should not be pronounced upon you, according to law ? ”

The shadow started convulsively as the terrible words fell from the man’s lips ; and I saw that the suddenly-upraised eyes of the prisoner were fastened on the face of the fearful questioner. The lips, too, appeared to move ; but no sound reached my ears.

“ Speak, woman,” said the recorder, “ if you have anything to urge before sentence is pronounced.”

I started up, and turning to the prisoner, besought her in hurried accents to speak. “ Remind them of the infant at your breast—your husband”—

“ Who is that conferring with the prisoner ? ” demanded the judge in an angry voice.

I turned, and confronted him with a look as cold and haughty as his own. He did not think proper to pursue the inquiry further ; and after muttering something about the necessity of not interrupting the proceedings of the court, again asked the prisoner if she had any thing to urge.

"Not for myself—not for my sake," at last faintly murmured the trembling woman; "but for that of my poor dear infant—my poor witless boy! I do not think, sir, I was in my right mind. I was starving. I was friendless. My husband, too, whom you have heard"—She stopped abruptly! a choking sob struggled in her throat; and but for the supporting arm of one of the turnkeys, she would have fallen to the ground.

"Unhappy, guilty woman!" said the recorder, with the coolness of a demon, "the plea of insanity you would set up is utterly untenable. Your husband, it seems, is serving his majesty in the royal navy; defending his country, whilst his wife was breaking its laws, by the commission of a crime which, but for the stern repression of the law, would sap the foundations of the security of property, and"—

I could endure no more. The atmosphere of the court seemed to stifle me; and I rushed for relief into the open air. Before, however, I had reached the street, a long, piercing scream informed me that the learned judge *had done his duty*.

No effort was spared during the interval which elapsed previous to the recorder presenting his report to the privy-council—a peculiar privilege at that time attached to the office—to procure a mitigation of the sentence. A petition, setting forth the peculiar circumstances of the case, was carefully prepared; and by the indefatigable exertions of an excellent

Quaker gentleman—whom, as he is still alive, and might not choose to have his name blazoned to the world, I will call William Friend—was soon very numerously signed. The prosecutor, however, obstinately refused to attach his name to the document; and the absence of his signature—so strangely did men reason on such matters in those days—would, it was feared, weigh heavily against the success of the petition. The amiable and enlightened Sir Samuel Romilly not only attached his name, but aided us zealously by his advice and influence. In short, nothing was omitted that appeared likely to attain the desired object.

Two days before the petition was to be forwarded to the proper quarter, Henry Mason arrived in England, the exertions of his employers having procured his discharge. The “Active” was one of Captain Hoste’s squadron, which obtained the celebrated victory off Lissa, over the Franco-Venetian fleet commanded by Admiral Dobourdieu. Henry Mason, it appeared by the testimonials of the captain and officers of his ship, had greatly distinguished himself in the action. We enclosed these papers with the petition: and then, having done all in our power, awaited with anxious impatience the result of the recorder’s report. It was announced to me, as I was sitting somewhat later than usual at chambers, by Mr. William Friend. The judgment to die was confirmed! All our representations had not sufficed

to counterbalance the supposed necessity of exhibiting terrible examples of the fate awaiting the perpetrators of an offence said to be greatly on the increase. Excellent William Friend wept like a child as he made the announcement.

The remains of Esther Mason were obtained from the Newgate officials, and quietly interred in St. Sepulchre's churchyard. A plain slab, with her name only plainly chiselled upon it, was some time afterwards placed above the grave. A few years ago I attended a funeral in the same graveyard ; and after a slight search, discovered the spot. The inscription, though of course much worn, was still quite legible.

I had not seen Henry Mason since his return ; but I was glad to hear from Mr. William Friend that, after the first passionate burst of rage and grief had subsided, he had, apparently at least, thanks to the tender and pious expostulations of his wife, with whom, by the kind intervention of the sheriffs, he was permitted long and frequent interviews, settled down into calmness and resignation. One thing only he would not bear to hear even from her, and that was any admission that she had been guilty of even the slightest offence. A hint of the kind, however unintentional, would throw him into a paroxysm of fury ; and the subject was consequently in his presence studiously avoided.

A few days after the execution, Mr. William Friend

called on me just after breakfast, accompanied by the bereaved husband. I never saw so changed a man. All the warm kindness of his nature had vanished, and was replaced by a gloomy, fierce austerity, altogether painful to contemplate.

“ Well, sir,” said he, as he barely touched my proffered hand, “ they have killed her, you see, spite of all you could say or do. It much availed me, too, that I had helped to win their boasted victories ;” and he laughed with savage bitterness.

“ Henry, Henry !” exclaimed William Friend, in a reprobating accent.

“ Well, well, sir,” rejoined Mason, impatiently, “ you are a good man, and have of course your own notions on these matters : I also have mine. Or perhaps you think it is only the blood of the rich and great which, shed unjustly, brings forth the iron harvest ? Forgive me,” he added, checking himself ; “ I respect you both ; but my heart is turned to stone. You do not know, none ever knew but I, how kind, how loving, how gentle was that poor, long-suffering girl.”

He turned from us to hide the terrible agony which convulsed him.

“ Henry,” said Mr. Friend, taking him kindly by the hand, “ we pity thee sincerely, as thou knowest ; but thy bitter, revengeful expressions are unchristian, sinful. The authorities whom thou, not for the first time, raillest on so wildly, acted, be sure of it, from a

sense of duty ; a mistaken one, in my opinion, doubtless ; still — ”

“ Say no more, sir,” interrupted Mason. “ We differ in opinion upon the subject. And now, gentlemen, farewell. I wished to see you, sir, before I left this country for ever, to thank you for your kind though fruitless exertions. Mr. Friend has promised to be steward for poor Willy of all I can remit for his use. Farewell. God bless you both !” He was gone !

War soon afterwards broke out with the United States of America, and Mr. Friend discovered that one of the most active and daring officers in the Republican navy was Henry Mason, who had entered the American service in the maiden name of his wife ; and that the large sums he had remitted from time to time for the use of Willy, were the produce of his successful depredations on British commerce. The instant Mr. Friend made the discovery, he refused to pollute his hands with moneys so obtained, and declined all further agency in the matter. Mason, however, contrived to remit through some other channel to the Davieses, with whom the boy had been placed ; and a rapid improvement in their circumstances was soon visible. These remittances ceased about the middle of 1814 ; and a twelvemonth after the peace with America, we ascertained that Henry Mason had been killed in the battle on Lake Champlain, where he had distinguished himself, as

everywhere else, by the reckless daring and furious hate with which he fought against the country which, in his unreasoning frenzy, he accused of the murder of his wife. He was recognized by one of his former messmates in the "Active," who, conveyed a prisoner on board the American commander Macdonough's ship, recognised him as he lay stretched on the deck, in the uniform of an American naval officer; his countenance, even in death, wearing the same stormful, defiant expression which it assumed on the day that his beloved Esther perished on the scaffold.

## Experiences of a Barrister.

---

### THE MARRIAGE SETTLEMENT.

---

“ It is really time that a properly-qualified governess had charge of those girls,” observed my wife, as Mary and Kate, after a more than usually boisterous romp with their papa, left the room for bed. I may here remark, *inter alia*, that I once surprised a dignified and highly-distinguished judge at a game of blind-man’s buff with his children, and very heartily he appeared to enjoy it, too. “ It is really time that a properly-qualified governess had charge of those girls. Susan May did very well as a nursery-teacher,

but they are now far beyond her control. *I* cannot attend to their education, and as for you"— The sentence was concluded by a shrug of the shoulders and a toss of the head, eloquently expressive of the degree of estimation in which *my* governing powers were held.

"Time enough, surely, for that," I exclaimed, as soon as I had composed myself, for I was a little out of breath. "They may, I think, rub along with Susan for another year or two. Mary is but seven years of age——"

"Eight years, if you please. She was eight years old last Thursday three weeks."

"Eight years! Then we must have been married nine! Bless me, how the time has flown: it seems scarcely so many weeks!"

"Nonsense!" rejoined my wife, with a sharpness of tone and a rigidity of facial muscle which, considering the handsome compliment I had just paid her, argued, I was afraid, a foregone conclusion. "You always have recourse to some folly of that sort whenever I am desirous of entering into a serious consultation on family affairs."

There was some truth in this, I confess. The "consultations" which I found profitable were not serious ones with my wife upon domestic matters; leading, as they invariably did, to a diminution instead of an increase of the little balance at the banker's. If such a proposition could therefore be

evaded or adjourned by even an extravagant compliment, I considered it well laid out. But the expedient, I found, was one which did not improve by use. For some time after marriage it answered remarkably well; but each succeeding year of wedded bliss marked its rapidly-declining efficacy.

“Well, well, go on.”

“I say it is absolutely necessary that a first-rate governess should be at once engaged. Lady Maldon has been here to-day, and she——”

“Oh, I thought it might be her new ladyship’s suggestion. I wish the ‘fountain of honour’ was somewhat charier of its knights and ladies, and then perhaps——”

“What, for mercy’s sake, are you running on about?” interrupted the lady, with peremptory emphasis. “Fountains of honour, forsooth! One would suppose, to hear you talk in that wild, nonsensical way, that you were addressing a bench of judges sitting in *bancu*, instead of a sensible person solicitous for her and your children’s welfare.”

“Bless the woman!” thought I, “what an exalted idea she appears to have of forensic eloquence! Proceed, my love,” I continued; “there is a difference, certainly; and I am all attention.”

“Lady Maldon knows a young lady—a distant relative, indeed, of hers—whom she is anxious to serve——”

“At our expense.”

“How can you be so ungenerous? Edith Willoughby is the orphan daughter of the late Reverend Mr. Willoughby, curate of Heavy Tree, in Warwickshire, I believe; and was specially educated for a first-class governess and teacher. She speaks French with the true Parisian accent, and her Italian, Lady Maldon assures me, is pure Tuscan——”

“He-e-e-m!”

“She dances with grace and elegance; plays the harp and piano with skill and taste; is a thorough *artiste* in drawing and painting; and is, moreover, very handsome—though beauty, I admit, is an attribute which in a governess might be very well dispensed with.”

“True; unless, indeed, it were catching.”

I need not prolong this connubial dialogue. It is sufficient to state that Edith Willoughby was duly installed in office on the following day; and that, much to my surprise, I found that her qualifications for the charge she had undertaken were scarcely overcoloured. She was a well-educated, elegant, and beautiful girl, of refined and fascinating manners, and possessed of one of the sweetest, gentlest dispositions that ever charmed and graced the family and social circle. She was, I often thought, for her own chance of happiness, too ductile, too readily yielding to the wishes and fancies of others. In a very short time I came to regard her as a daughter, and with my wife and children she was speedily a prodigious

favourite. Mary and Kate improved rapidly under her judicious tuition, and I felt for once positively grateful to busy Lady Maldon for her officious interference in my domestic arrangements.

Edith Willoughby had been domiciled with us about two years, when Mr. Harlowe, a gentleman of good descent and fine property, had occasion to call several times at my private residence on business relating to the purchase of a house in South Audley Street, the title to which exhibited by the venders was not of the most satisfactory kind. On one occasion he stayed to dine with us, and I noticed that he seemed much struck by the appearance of our beautiful and accomplished governess. His evident emotion startled and pained me in a much higher degree than I could easily have accounted for even to myself. Mr. Harlowe was a widower, past his first youth certainly, but scarcely more than two or three-and-thirty years of age, wealthy, not ill-looking, and, as far as I knew, of average character in society. Surely an excellent match, if it should come to that, for an orphan girl, rich only in fine talents and gentle affections. But I could not think so. I disliked the man—*instinctively* disliked and distrusted him; for I could assign no very positive motive for my antipathy.

“The reason why, I cannot tell,  
But I don’t like thee, Dr. Fell.”

These lines indicate an unconquerable feeling which

most persons have, I presume, experienced; and which frequently, I think, results from a kind of cumulative evidence of uncongeniality or unworthiness, made up of a number of slight indices of character, which separately may appear of little moment, but altogether produce a strong, if undefinable, feeling of aversion. Mr. Harlowe's manners were bland, polished, and insinuating; his conversation was sparkling and instructive; but a cold sneer seemed to play habitually about his lips, and at times there glanced forth a concentrated, polished ferocity—so to speak—from his eyes, revealing hard and stony depths, which I shuddered to think a being so pure and gentle as Edith might be doomed to sound and fathom. That he was a man of strong passions and determination of will, was testified by every curve of his square, massive head, and every line of his full countenance.

My aversion—reasonable or otherwise, as it might be—was not shared by Miss Willoughby; and it was soon apparent that, fascinated, intoxicated by her extreme beauty (the man was, I felt, incapable of love in its high, generous, and spiritual sense), Mr. Harlowe had determined on offering his hand and fortune to the unportioned orphan. He did so, and was accepted. I did not conceal my dislike of her suitor from Edith; and my wife—who, with feminine exaggeration of the hints I threw out, had set him down as a kind of polished human tiger—with tears

entreathed her to avoid the glittering snare. We of course had neither right nor power to push our opposition beyond friendly warning and advice ; and when we found, thanks to Lady Maldon, who was vehemently in favour of the match—to, in Edith's position, the dazzling temptation of a splendid establishment, and to Mr. Harlowe's eloquent and impassioned pleadings—that the rich man's offer was irrevocably accepted, we of course forbore from continuing a useless and irritating resistance. Lady Maldon had several times very plainly intimated that our aversion to the marriage arose solely from a selfish desire of retaining the services of her charming relative ; so prone are the mean and selfish to impute meanness and selfishness to others.

I might, however, I reflected, be of service to Miss Willoughby, by securing for her such a marriage settlement as would place her beyond the reach of one possible consequence of caprice and change. I spoke to Mr. Harlowe on the subject ; and he, under the influence of headstrong, eager passion, gave me, as I expected, *carte blanche*. I availed myself of the license so readily afforded : a deed of settlement was drawn up, signed, sealed, and attested in duplicate the day before the wedding ; and Edith Willoughby, as far as wealth and position in society were concerned, had undoubtedly made a surprisingly good bargain.

It happened that just as Lady Maldon, Edith Wil-

loughby, and Mr. Harlowe were leaving my chambers after the execution of the deed, Mr. Ferret the attorney appeared on the stairs. His hands were full of papers, and he was, as usual, in hot haste; but he stopped abruptly as his eye fell upon the departing visitors, looked with startled earnestness at Miss Willoughby, whom he knew, and then glanced at Mr. Harlowe with an expression of angry surprise. That gentleman, who did not appear to recognise the new-comer, returned his look with a supercilious, contemptuous stare, and passed on with Edith, who had courteously saluted the inattentive Mr. Ferret, followed by Lady Maldon.

“What is the meaning of that ominous conjunction?” demanded Mr. Ferret, as the affianced pair disappeared together.

“Marriage, Mr. Ferret! Do you know any just cause or impediment why they should not be joined together in holy wedlock?”

“The fellow’s wife is dead, then?”

“Yes; she died about a twelvemonth ago. Did you know her?”

“Not personally; by reputation only. A country attorney, Richards, of Braintree, for whom I transact London business, sent me the draught of a deed of separation—to which the unfortunate lady, rather than continue to live with her husband, had consented—for counsel’s opinion. I had an interview with Mr. Harlowe himself upon the business; but I see he

affects to have forgotten me. I do not know much of the merits of the case, but according to Richards—no great shakes of a fellow, between ourselves—the former Mrs. Harlowe was a martyr to her husband's calculated virulence and legal—at least not *illegal*, a great distinction, in my opinion, though not so set down in the books—despotism. He espoused her for her wealth : that secured, he was desirous of ridding himself of the incumbrance to it. A common case!—and now, if you please, to business."

I excused myself, as did my wife, from being present at the wedding ; but everything, I afterwards heard, passed off with great *éclat*. The bridegroom was all fervour and obsequiousness ; the bride all bashfulness and beauty. The "happy pair," I saw by the afternoon newspapers, were to pass the honeymoon at Mr. Harlowe's seat, Fairdown Park. The evening of the marriage-day was anything, I remember, but a pleasant one to me. I reached home by no means hilariously disposed, where I was greeted, by way of revival, with the intelligence that my wife, after listening with great energy to Lady Maldon's description of the wedding festivities for two tremendous hours, had at last been relieved by copious hysteria, and that Mary and Kate were in a fair way (if the exploit could be accomplished by perseverance) of crying themselves to sleep. These were our bridal compliments ; much more flattering, I imagine, if not quite so honey-accented, as the courtly phrases with

which the votaries and the victims of Hymen are alike usually greeted.

Time, business, worldly hopes and cares, the triumphs and defeats of an exciting profession, gradually weakened the impression made upon me by the gentle virtues of Edith Willoughby; and when, about fifteen months after the wedding, my wife informed me that she had been accosted by Mrs. Harlowe at a shop in Bond Street, my first feeling was one of surprise, not untinged with resentment, for what I deemed her ungrateful neglect.

“She recognised you then?” I remarked.

“Recognised me! What do you mean?”

“I thought perhaps she might have forgotten your features as she evidently has our address.”

“If you had seen,” replied my wife, “how pale, how cold, how utterly desolate she looked, you would think less hardly of her. As soon as she observed me, a slight scream escaped her; and then she glanced eagerly and tremblingly around like a startled fawn. Her husband had passed out of the shop to give, I think, some direction to the coachman. She tottered towards me, and clasping me in her arms, burst into a passion of tears. ‘Oh why—why,’ I asked as soon as I could speak, ‘why have you not written to us?’ ‘I dared not!’ she gasped. ‘But, oh tell me! do you—does your husband remember me with kindness? Can I still reckon on his protection—his support?’ I assured her you would receive her as

your own child. The whispered words had barely passed my lips, when Mr. Harlowe, who had swiftly approached us unperceived, said, ‘Madam, the carriage waits.’ His stern, pitiless eye glanced from his wife to me, and stiffly bowing, he said, ‘Excuse me for interrupting your conversation; but time presses. Good-day.’ A minute afterwards, the carriage drove off.”

I was greatly shocked at this confirmation of my worst fears; and I meditated with intense bitterness on the fate of a being of such meek tenderness exposed to the heartless brutalities of a sated sensualist like Harlowe. But what could be done? She had chosen, deliberately and after warning, chosen her lot, and must accept the consequences of her choice. In all the strong statutes and sharp biting laws of England, there can be found no clause wherewith to shield a woman from the “regulated” meanness and despotism of an unprincipled husband. Resignation is the sole remedy, and therein the patient must minister to herself.

On the morning of the Sunday following Edith’s brief interview with my wife, and just as we were about to leave the house to attend divine service, a cab drove furiously up to the door, and a violent summons by both knocker and bell announced the arrival of some strangely-impatient visitor. I stepped out upon the drawing-room landing, and looked over the banister rail, curious to ascertain who had

honoured me with so peremptory a call. The door was quickly opened, and in ran, or rather staggered, Mrs. Harlowe, with a child in long clothes in her arms.

“Shut—shut the door!” she faintly exclaimed, as she sank in one of the hall seats. “Pray shut the door—I am pursued!”

I hastened down, and was just in time to save her from falling on the floor. She had fainted. I had her carried up stairs, and by the aid of proper restoratives she gradually recovered consciousness. The child, a girl about four months old, was seized upon by Mary and Kate, and carried off in triumph to the nursery. Sadly changed, indeed, as by the sickness of the soul, was poor Edith. The radiant flush of youth and hope, rendering her sweet face eloquent of joy and pride, was replaced by the cold, sad hues of wounded affections and proud despair. I could read in her countenance, as in a book, the sad record of long months of wearing sorrow, vain regrets, and bitter self-reproach. Her person, too, had lost its rounded, airy, graceful outline, and had become thin and angular. Her voice, albeit, was musical and gentle as ever, as she murmured, on recovering her senses, “You will protect me from my—from that man?” As I warmly pressed her hand, in emphatic assurance that I would shield her against all comers, another loud summons was heard at the door. A minute afterwards, a servant entered, and announced

that Mr. Harlowe waited for me below. I directed he should be shown into the library; and after iterating my assurance to Edith that she was quite safe from violence beneath my roof, and that I would presently return to hear her explanation of the affair, I went down stairs.

Mr. Harlowe, as I entered, was pacing rapidly up and down the apartment. He turned to face me; and I thought he looked even more perturbed and anxious than vengeful and angry. He, however, as I coldly bowed, and demanded his business with me, instantly assumed a bullying air and tone.

“Mrs. Harlowe is here: she has surreptitiously left South Audley Street in a hired cab, and I have traced her to this house.”

“Well?”

“Well! I trust it is well; and I insist that she instantly return to her home.”

“Her *home*!”

I used the word with an expression significative only of my sense of the sort of “home” he had provided for the gentle girl he had sworn to love and cherish; but the random shaft found a joint in his armour at which it was not aimed. He visibly trembled, and turned pale.

“She has had time to tell you all then! But be assured, sir, that nothing she has heard or been told, however true it may be—*may* be, remember, I say—can be legally substantiated except by myself.”

What could the man mean? I was fairly puzzled: but, professionally accustomed to conceal emotions of surprise and bewilderment, I coldly replied—"I have left the lady who has sought the protection of her true 'home,' merely to ascertain the reason of this visit."

"The reason of my visit!" he exclaimed with renewed fury: "to reconvey her to South Audley Street. What else? If you refuse to give her up, I shall apply to the police."

I smiled, and approached the bell.

"You will not surrender her then?"

"To judicial process only: of that be assured. I have little doubt that, when I am placed in full possession of all the facts of the case, I shall be quite able to justify my conduct." He did not reply, and I continued: "If you choose to wait here till I have heard Edith's statement, I will at once frankly acquaint you with my final determination."

"Be it so: and please to recollect, sir, that you have to deal with a man not easily baffled or entrapped by legal subtlety or cunning."

I reascended to the drawing-room; and finding Edith—thanks to the ministrations, medicinal and oral, of my bustling and indignant lady—much calmer, and thoroughly satisfied that nobody could or should wrest her from us, begged her to relate unreservedly the cause or causes which had led to her present position. She falteringly complied; and I

listened with throbbing pulse and burning cheeks to the sad story of her wedded wretchedness, dating from within two or three months of the marriage; and finally consummated by a disclosure that, if provable, might consign Harlowe to the hulks. The tears, the agony, the despair of the unhappy lady, excited in me a savageness of feeling, an eager thirst for vengeance, which I had believed foreign to my nature. Edith divined my thoughts, and taking my hand, said, "Never, sir, never will I appear against him: the father of my little Helen shall never be publicly accused by me."

"You err, Edith," I rejoined; "it is a positive duty to bring so consummate a villain to justice. He has evidently calculated on your gentleness of disposition, and must be disappointed."

I soon, however, found it was impossible to shake her resolution on this point; and I returned with a heart full of grief and bitterness to Mr. Harlowe.

"You will oblige me, sir," I exclaimed, as I entered the room, "by leaving this house immediately: I would hold no further converse with so vile a person."

"How! Do you know to whom you presume to speak in this manner?"

"Perfectly. You are one Harlowe, who, after a few months' residence with a beautiful and amiable girl had extinguished the passion which induced him to offer her marriage, showered on her every species

of insult and indignity of which a cowardly and malignant nature is capable ; and who, finding that did not kill her, at length consummated, or revealed, I do not yet know which term is most applicable, his utter baseness by causing her to be informed that his first wife was still living.”

“ Upon my honour, sir, I believed, when I married Miss Willoughby, that I was a widower.”

“ Your honour ! But except to prove that I do thoroughly know and appreciate the person I am addressing, I will not bandy words with you. After that terrible disclosure—if, indeed, it be a disclosure, not an invention— Ah, you start at that !”

“ At your insolence, sir ; not at your senseless surmises.”

“ Time and the law will show. After, I repeat, this terrible disclosure or invention, you, not content with obtaining from your victim’s generosity a positive promise that she would not send you to the hulks”—

“ Sir, have a care.”

“ Pooh ! I say, not content with exacting this promise from your victim, you, with your wife, or accomplice, threatened not only to take her child from her, but to lock her up in a madhouse, unless she subscribed a paper, confessing that she knew, when you espoused her, that you were a married man. Now, sir, do I, or do I not, thoroughly know who and what the man is I am addressing ?”

"Sir," returned Harlowe, recovering his audacity somewhat, "spite of all your hectoring and abuse, I defy you to obtain proof—legal proof—whether what Edith has heard is true or false. The affair may perhaps be arranged: let her return with me."

"You know she would die first: but it is quite useless to prolong this conversation; and I again request you to leave this house."

"If Miss Willoughby would accept an allowance——"

The cool audacity of this proposal to make me an instrument in compromising a felony exasperated me beyond all bounds. I rang the bell violently, and desired the servant who answered it to show Mr. Harlowe out of the house. Finding further persistence useless, the baffled villain snatched up his hat, and with a look and gesture of rage and contempt hurried out of the apartment.

The profession of a barrister necessarily begets habits of coolness and reflection under the most exciting circumstances; but I confess that in this instance my ordinary equanimity was so much disturbed, that it was some time before I could command sufficient composure to reason calmly upon the strange revelations made to me by Edith, and the nature of the measures necessary to adopt in order to clear up the mystery attaching to them. She persisted in her refusal to have recourse to legal measures with a view to the punishment of Harlowe; and I finally de-

terminated—after a conference with Mr. Ferret, who, having acted for the first Mrs. Harlowe, I naturally conjectured must know something of her history and connections—to take for the present no ostensible steps in the matter. Mr. Ferret, like myself, was persuaded that the sham resuscitation of his first wife was a mere trick, to enable Harlowe to rid himself of the presence of a woman he no longer cared for. “I will take an opportunity,” said Mr. Ferret, “of quietly questioning Richards: he must have known the first wife; Eleanor Wickham, I remember, was her maiden name; and if not bought over by Harlowe—a by-no-means impossible purchase—can set us right at once. I did not understand that the said Eleanor was at all celebrated for beauty and accomplishments, such as you say Miss Willoughby—Mrs. Harlowe, I mean—describes. She was a native of Dorsetshire too, I remember; and the foreign Italian accent you mention is rarely, I fancy, picked up in that charming county. Some flashy opera-dancer, depend upon it, whom he has contracted a passing fancy for: a slippery gentleman certainly; but, with a little caution, we shall not fail to trip his heels up, clever as he may be.”

A stronger wrestler than either of us was upon the track of the unhappy man. Edith had not been with us above three weeks, when one of Mr. Harlowe’s servants called at my chambers to say that his master, in consequence of a wound he had inflicted on his

foot with an axe, whilst amusing himself with cutting or pruning some trees in the grounds at Fairdown, was seriously ill, and had expressed a wish to see me. I could not leave town; but as it was important Mr. Harlowe should be seen, I requested Mr. Ferret to proceed to Fairdown House. He did so, and late in the evening returned with the startling intelligence that Mr. Harlowe was dead!

“Dead!” I exclaimed, much shocked. “Are you serious?”

“As a judge. He expired, about an hour after I reached the house, of *tetanus*, commonly called locked-jaw. His body, by the contraction of the muscles, was bent like a bow, and rested on his heels and the back part of his head. He was incapable of speech long before I saw him; but there was a world of agonized expression in his eyes!”

“Dreadful! Your journey was useless then?”

“Not precisely. I saw the pretended former wife: a splendid woman, and as much Eleanor Wickham of Dorsetshire as I am. They mean, however, to show fight, I think; for, as I left the place, I observed that delightful knave Richards enter the house. I took the liberty of placing seals upon the desks and cabinets, and directed the butler and other servants to see that nothing was disturbed or removed till Mrs. Harlowe’s—the true Mrs. Harlowe’s—arrival.”

The funeral was to take place on the following Wednesday; and it was finally arranged that both of

us would accompany Edith to Fairdown on the day after, and adopt such measures as circumstances might render necessary. Mr. Ferret wrote to this effect to all parties concerned.

On arriving at the house, I, Ferret, and Mrs. Harlowe proceeded at once to the drawing-room, where we found the pretended wife seated in great state, supported on one side by Mr. Richards, and on the other by Mr. Quillet the eminent proctor. Edith was dreadfully agitated, and clung frightened and trembling to my arm. I conducted her to a seat, and placed myself beside her, leaving Mr. Ferret—whom so tremendous an array of law and learning, evincing a determination to fight the matter out *à l'outrance*, filled with exuberant glee—to open the conference.

“Good morning, madam,” cried he, the moment he entered the room, and quite unaffected by the lady’s scornful and haughty stare: “good morning; I am delighted to see you in such excellent company. You do not, I hope, forget that I once had the honour of transacting business for you?”

“You had transactions of my business!” said the lady. “When, I pray you?”

“God bless me!” cried Ferret, addressing Richards, “what a charming Italian accent; and out of Dorsetshire too!”

“Dorsetshire, sir?” exclaimed the lady.

“Ay, Dorsetshire to be sure. Why, Mr. Richards,

our respected client appears to have forgotten her place of birth! How very extraordinary!"

Mr. Richards then interfered, to say that Mr. Ferret was apparently labouring under a strange misapprehension. "This lady," continued he, "is Madame Giulietta Corelli."

"Whe—e—e—w!" rejoined Ferret, thrown for an instant off his balance by the suddenness of the confession, and perhaps a little disappointed at so placable a termination of the dispute—"Giulietta Corelli! What is the meaning of this array then?"

"I am glad, madam," said I, interposing for the first time in the conversation, "for your own sake, that you have been advised not to persist in the senseless as well as iniquitous scheme devised by the late Mr. Harlowe; but this being the case, I am greatly at a loss to know why either you or these legal gentlemen are here."

The brilliant eyes of the Italian flashed with triumphant scorn, and a smile of contemptuous irony curled her beautiful lip as she replied—"These legal gentlemen will not have much difficulty in explaining my right to remain in my own house."

"Your house?"

"Precisely, sir," replied Mr. Quillet. "This mansion, together with all other property, real and personal, of which the deceased Henry Harlowe died possessed, is bequeathed by will—dated about a month since—to this lady, Giulietta Corelli."

"A will!" exclaimed Mr. Ferret with an explosive shout; and turning to me, whilst his sharp grey eyes danced with irrepressible mirth—"Did I not tell you so?"

"Your usual sagacity, Mr. Ferret, has not in this instance failed you. Perhaps you will permit me to read the will? But before I do so," continued Mr. Quillet, as he drew his gold-rimmed spectacles from their morocco sheath—"you will allow me, if you please, to state that the legatee, delicately appreciating the position of the widow, will allow her any reasonable annuity—say five hundred pounds per annum for life."

"Will she really though?" cried Mr. Ferret, boiling over with ecstasy. "Madam, let me beg of you to confirm this gracious promise."

"Certainly I do."

"Capital!—glorious!" rejoined Ferret; and I thought he was about to perform a saltatory movement, that must have brought his cranium into damaging contact with the chandelier under which he was standing. "Is it not delightful? How every one—especially an attorney—loves a generous giver!"

Mr. Richards appeared to be rendered somewhat uneasy by these strange demonstrations. He knew Ferret well, and evidently suspected that something was wrong somewhere. "Perhaps, Mr. Quillet," said he, "you had better read the will at once."

This was done: the instrument devised in legal

and minute form all the property, real and personal, to Giulletta Corelli—a natural-born subject of his majesty it appeared, though of foreign parentage, and of partially foreign education.

“Allow me to say,” broke in Mr. Ferret, interrupting me as I was about to speak—“allow me to say, Mr. Richards, that that will does you credit: it is, I should say, a first-rate affair, for a country practitioner especially. But of course you submitted the draught to counsel?”

“Certainly I did,” said Richards, tartly.

“No doubt—no doubt. Clearness and precision like that could only have proceeded from a master’s hand. I shall take a copy of that will, Richards, for future guidance, you may depend, the instant it is registered in Doctors’ Commons.”

“Come, come, Mr. Ferret,” said I; “this jesting is all very well; but it is quite time the farce should end.”

“Farce!” exclaimed Mr. Richards.

“Farce!” growled doubtful Mr. Quillet.

“Farce!” murmured the beautiful Giulletta.

“Farce!” cried Mr. Ferret. “My dear sir, it is about one of the most charming and genteel comedies ever enacted on any stage, and the principal part, too, by one of the most charming of prima donnas. Allow me, sir—don’t interrupt me! it is too delicious to be shared; it is indeed. Mr. Richards, and you, Mr. Quillet, will you permit me to observe that this admirable will has *one* slight defect?”

“A defect—where—how?”

“It is really heartbreaking that so much skill and ingenuity should be thrown away; but the fact is, gentlemen, that the excellent person who signed it had no property to bequeath!”

“How?”

“Not a shilling’s worth. Allow me, sir, if you please. This piece of parchment, gentlemen, is, I have the pleasure to inform you, a marriage settlement.”

“A marriage settlement!” exclaimed both the men of law in a breath.

“A marriage settlement, by which, in the event of Mr. Harlowe’s decease, his entire property passes to his wife, in trust for the children, if any; and if not, absolutely to herself.” Ferret threw the deed on the table, and then, giving way to convulsive mirth, threw himself upon the sofa, and fairly shouted with glee.

Mr. Quillet seized the document, and, with Richards, eagerly perused it. The proctor then rose, and bowing gravely to his astonished client, said, “The will, madam, is waste paper. You have been deceived.” He then left the apartment.

The consternation of the lady and her attorney may be conceived. Madame Corelli, giving way to her fiery passions, vented her disappointment in passionate reproaches of the deceased; the only effect of which was to lay bare still more clearly than before her own

cupidity and folly, and to increase Edith's painful agitation. I led her down stairs to my wife, who, I omitted to mention, had accompanied us from town, and remained in the library with the children during our conference. In a very short time afterwards Mr. Ferret had cleared the house of its intrusive guests, and we had leisure to offer our condolences and congratulations to our grateful and interesting client. It was long before Edith recovered her former gaiety and health; and I doubt if she would ever have thoroughly regained her old cheerfulness and elasticity of mind, had it not been for her labour of love in superintending and directing the education of her daughter Helen, a charming girl, who fortunately inherited nothing from her father but his wealth. The last time I remember to have danced was at Helen's wedding. She married a distinguished Irish gentleman, with whom, and her mother, I perceive by the newspapers, she appeared at Queen Victoria's court in Dublin, one, I am sure, of the brightest stars which glittered in that galaxy of beauty and fashion.

## Experiences of a Barrister.

---

### THE SECOND MARRIAGE.

---

A BUSY day in the Assize Court at Chester, chequered, as usual, by alternate victory and defeat, had just terminated, and I was walking briskly forth, when an attorney of rather low *caste* in his profession—being principally employed as an intermediary between needy felons and the counsel practising in the Crown Court—accosted me, and presented a brief; at the same time tendering the fee of two guineas marked upon it.

“I am engaged to-morrow, Mr. Barnes,” I exclaimed, a little testily, “on the civil side: besides you know

I very seldom take briefs in the Crown Court, even if proffered in due time ; and to-morrow will be the last day of the assize in Chester ! There are plenty of unemployed counsel who will be glad of your brief."

" It is a brief in an action of ejectment," replied the attorney—" Woodley *versus* Thorndyke ; and is brought to recover possession of a freehold estate now held and farmed by the defendant."

" An action of ejectment to recover possession of a freehold estate ! defended, too, I know, by a powerful bar ; for I was offered a brief, but declined it. Mr. P—— leads ; and you bring me this for the plaintiff, and at the last moment too ! You must be crazed."

" I told the plaintiff and her grandfather," rejoined Mr. Barnes, " that it was too late to bespeak counsel's attention to the case ; and that the fee, all they have, with much difficulty, been able to raise, was ridiculously small ; but they insisted on my applying to you——Oh, here they are !"

We had by this time reached the street, and the attorney pointed towards two figures standing in attitudes of anxious suspense near the gateway. It was dusk, but there was quite sufficient light to distinguish the pale and interesting features of a young female, dressed in faded and scanty mourning, and accompanied by a respectable-looking old man with white hair, and countenance deeply furrowed by age and grief.

"I told you, Miss Woodley," said the attorney, "that this gentleman would decline the brief, especially with such a fee"—

"It is not the fee, man!" I observed, for I was somewhat moved by the appealing dejection exhibited by the white-haired man and his timid granddaughter; "but what chance can I have of establishing this person's right—if right she have—to the estate she claims, thus suddenly called upon to act without previous consultation; and utterly ignorant, except as far as this I perceive hastily-scrawled brief will instruct me, both of the nature of the plaintiff's claim and of the defence intended to be set up against it?"

"If you would undertake it, sir," said the young woman with a tremulous, hesitating voice and glistening eyes, "for *his* sake"—and she glanced at her aged companion—"who will else be helpless, homeless."

"The blessing of those who are ready to perish will be yours, sir," said the grandfather, with meek solemnity, "if you will lend your aid in this work of justice and mercy. We have no hope of withstanding the masterful violence and wrong of wicked and powerful men except by the aid of the law, which we have been taught will ever prove a strong tower of defence to those who walk in the paths of peace and right."

The earnestness of the old man's language and

manner, and the pleading gentleness of the young woman, forcibly impressed me ; and, albeit it was a somewhat unprofessional mode of business, I determined to hear their story from their own lips, rather than take it from the scrawled brief, or through the verbal medium of their attorney.

“ You have been truly taught,” I answered ; “ and if really entitled to the property you claim, I know of no masterful men that in this land of England can hinder you from obtaining possession of it. Come to me in about an hour and a-half from hence : I shall then have leisure to hear what you have to say. This fee,” I added, taking the two guineas from the hand of the attorney, who still held the money ready for my acceptance, “ you must permit me to return. It is too much for you to pay for losing your cause ; and if I gain it--but mind I do not promise to take it into court unless I am thoroughly satisfied you have right and equity on your side—I shall expect a much heavier one. Mr. Barnes, I will see you, if you please, early in the morning.” I then bowed, and hastened on.

Dinner was not ready when I reached my lodgings ; and during the short time I had to wait, I more than half repented of having had anything to do with this unfortunate suit. However, the pleadings of charity, the suggestions of human kindness, reasserted their influence ; and by the time my new clients arrived, which they did very punctually at the hour I had

indicated, I had quite regained the equanimity I had momentarily lost, and, thanks to my landlady's excellent viands and generous wine, was, for a lawyer, in a very amiable and benevolent humour indeed.

Our conference was long, anxious, and unsatisfactory. I was obliged to send for Barnes before it concluded, in order to thoroughly ascertain the precise nature of the case intended to be set up for the defendant, and the evidence likely to be adduced in support of it. No ray of consolation or of hope came from that quarter. Still, the narrative I had just listened to, bearing as it did the impress of truth and sincerity in every sentence, strongly disposed me to believe that foul play had been practised by the other side; and I determined, at all hazards, to go into court, though with but faint hope indeed of a *present* successful issue.

“It appears more than probable,” I remarked on dismissing my clients, “that this will is a fabrication; but before such a question had been put in issue before a jury, some producible evidence of its being so should have been sought for and obtained. As it is, I can only watch the defendant’s proof of the genuineness of the instrument upon which he has obtained probate: one or more of the attesting witnesses *may*, if fraud has been practised, break down under a searching cross-examination, or incidentally perhaps disclose matter for further investigation.”

“One of the attesting witnesses is, as I have

already told you, dead," observed Barnes; "and another, Elizabeth Wareing, has, I hear, to-day left the country. An affidavit to that effect will no doubt be made to-morrow, in order to enable them to give secondary evidence of her attestation, though, swear as they may, I have not the slightest doubt *I* could find her if time were allowed, and her presence would at all avail us."

"Indeed! This is very important. Would you, Mr. Barnes, have any objection," I added, after a few moments' reflection, "to make oath, should the turn of affairs to-morrow render your doing so desirable, of your belief that you could, reasonable time being allowed, procure the attendance of this woman—this Elizabeth Wareing?"

"Not the slightest: though how that would help us to invalidate the will Thorndyke claims under I do not understand."

"Perhaps not. At all events, do not fail to be early in court. The cause is the first in to-morrow's list, remember."

The story confided to me was a very sad, and, unfortunately, in many of its features a very common one. Ellen, the only child of the old gentleman, Thomas Ward, had early in life married Mr. James Woodley, a wealthy yeoman, prosperously settled upon his paternal acres, which he cultivated with great diligence and success. The issue of this marriage—a very happy one, I was informed—was

Mary Woodley, the plaintiff in the present action. Mr. Woodley, who had now been dead something more than two years, bequeathed the whole of his property, real and personal, to his wife, in full confidence, as he expressed himself but a few hours before he expired, that she would amply provide for his and her child. The value of the property inherited by Mrs. Woodley under this will amounted, according to a valuation made a few weeks after the testator's decease, to between eight and nine thousand pounds.

Respected as a widow, comfortable in circumstances, and with a daughter to engage her affections, Mrs. Woodley might have passed the remainder of her existence in happiness. But how frequently do women peril and lose all by a second marriage! Such was the case with Mrs. Woodley: to the astonishment of everybody, she threw herself away on a man almost unknown in the district—a person of no fortune, of mean habits, and altogether unworthy of accepting as a husband. Silas Thorndyke, to whom she thus committed her happiness, had for a short time acted as bailiff on the farm; and no sooner did he feel himself master, than his subserviency was changed to selfish indifference, and that gradually assumed a coarser character. He discovered that the property, by the will of Mr. Woodley, was so secured against every chance or casualty to the use and enjoyment of his wife, that it not only did not pass

by marriage to the new bridegroom, but she was unable to alienate or divest herself of any portion of it during life. She could, however, dispose of it by will; but in the event of her dying intestate, the whole descended to her daughter, Mary Woodley.

Incredibly savage was Thorndyke when he made that discovery; and bitter and incessant were the indignities to which he subjected his unfortunate wife, for the avowed purpose of forcing her to make a will entirely in his favour, and of course disinheriting her daughter. These persecutions failed of their object. An unexpected, quiet, passive, but unconquerable resistance, was opposed by the, in all other things, cowed and submissive woman, to this demand of her domineering husband. Her failing health—for, gently nurtured and tenderly cherished as she had ever been, the callous brutality of her husband soon told upon the unhappy creature—warned her that Mary would soon be an orphan, and that upon her firmness it depended whether the child of him to whose memory she had been, so fatally for herself, unfaithful, should be cast homeless and penniless upon the world, or inherit the wealth to which, by every principle of right and equity, she was entitled. Come what may, this trust at least should not, she mentally resolved, be betrayed or paltered with. Every imaginable expedient to vanquish her resolution was resorted to. Thorndyke picked a quarrel with Ward her father, who had lived at Dale Farm since the morrow of her

marriage with Woodley, and the old gentleman was compelled to leave, and take up his abode with a distant and somewhat needy relative. Next, Edward Wilford, the only son of a neighbouring and prosperous farmer, who had been betrothed to Mary Woodley several months before her father's death, was brutally insulted, and forbidden the house. All, however, failed to shake the mother's resolution; and at length, finding all his efforts fruitless, Thorndyke appeared to yield the point, and upon this subject at least ceased to harass his unfortunate victim.

Frequent private conferences were now held between Thorndyke, his two daughters, and Elizabeth Wareing—a woman approaching middle-age, whom, under the specious pretence that Mrs. Thorndyke's increasing ailments rendered the services of an experienced matron indispensable, he had lately installed at the farm. It was quite evident to both the mother and daughter that a much greater degree of intimacy subsisted between the master and housekeeper than their relative positions warranted; and from some expressions heedlessly dropped by the woman, they suspected them to have been once on terms of confidential intimacy. Thorndyke, I should have mentioned, was not a native of these parts: he had answered Mr. Woodley's advertisement for a bailiff, and his testimonials appearing satisfactory, he had been somewhat precipitately engaged. A young man, calling himself Edward Wareing, the son of Elizabeth Wareing, and

said to be engaged in an attorney's office in Liverpool, was also a not unfrequent visitor at Dale Farm; and once he had the insolent presumption to address a note to Mary Woodley, formally tendering his hand and fortune! This, however, did not suit Mr. Thorndyke's views, and Mr. Edward Wareing was very effectually rebuked and silenced by his proposed father-in-law.

Mrs. Thorndyke's health rapidly declined. The woman Wareing, touched possibly by sympathy or remorse, exhibited considerable tenderness and compassion towards the invalid; made her nourishing drinks, and administered the medicine prescribed by the village practitioner—who, after much delay and *pooh, poohing* by Thorndyke, had been called in—with her own hands. About three weeks previous to Mrs. Thorndyke's death, a sort of reconciliation was patched up through her instrumentality between the husband and wife; and an unwonted expression of kindness and compassion, real or simulated, sat upon Thorndyke's features every time he approached the dying woman.

The sands of life ebbed swiftly with Mrs. Thorndyke. Enfolded in the gentle but deadly embrace with which consumption <sup>\*</sup>seizes its victims, she wasted rapidly away; and, most perplexing symptom of all, violent retchings and nausea, especially after taking her medicine—which, according to Davis, the village surgeon, was invariably of a sedative character—

aggravated and confirmed the fatal disease which was hurrying her to the tomb.

Not once during this last illness could Mary Woodley, by chance or stratagem, obtain a moment's private interview with her mother until a few minutes before her decease. Until then, under one pretence or another, either Elizabeth Wareing, one of Thorndyke's daughters, or Thorndyke himself, was always present in the sick chamber. It was evening: darkness had for some time fallen: no light had yet been taken into the dying woman's apartment; and the pale starlight which faintly illumined the room served, as Mary Woodley softly approached on tiptoe to the bedside of her, as she supposed, sleeping parent, but to deepen by defining the shadows thrown by the full, heavy hangings, and the old massive furniture. Gently, and with a beating heart, Mary Woodley drew back the bed-curtain nearest the window. The feeble, uncertain light flickered upon the countenance, distinct in its mortal paleness, of her parent: the eyes recognised her, and a glance of infinite tenderness gleamed for an instant in the rapidly-darkening orbs: the right arm essayed to lift itself, as for one fast, last embrace. Vainly! Love, love only, was strong, stronger than death, in the expiring mother's heart, and the arm fell feebly back on the bedclothes. Mary Woodley bent down in eager grief, for she felt instinctively that the bitter hour at last was come: their lips met, and the last accents of

the mother murmured, “ Beloved Mary, I—I have been true to you—no will—no ”—— A slight tremor shook her frame: the spirit that looked in love from the windows of the eyes departed on its heavenward journey, and the unconscious shell only of what had once been her mother remained in the sobbing daughter’s arms.

I will not deny that this narrative, which I feel I have but coldly and feebly rendered from its earnest, tearful tenderness, as related by Mary Woodley, affected me considerably, *case-hardened* as, to use an old bar-pun, we barristers are supposed to be: nor will the reader be surprised to hear that suspicions, graver even than those which pointed to forgery, were evoked by the sad history. Much musing upon the strange circumstances thus disclosed, and profoundly cogitative on the best mode of action to be pursued, the “ small hours,” the first of them, at least, surprised me in my arm-chair. I started up, and hastened to bed, well knowing from experience that a sleepless vigil is a wretched preparative for a morrow of active exertion, whether of mind or body.

I was betimes in court the next morning, and Mr. Barnes, proud as a peacock of figuring as an attorney in an important civil suit, was soon at my side. The case had excited more interest than I had supposed, and the court was very early filled. Mary Woodley and her grandfather soon arrived; and a murmur of

commiseration ran through the auditory as they took their seats by the side of Barnes. There was a strong bar arrayed against us ; and Mr. Silas Thorndyke, I noticed, was extremely busy and important with whisperings and suggestions to his solicitor and counsel—received, of course, as such meaningless familiarities usually are, with barely civil indifference.

Twelve common jurors were called and sworn well and truly to try the issue, and I arose amidst breathless silence to address them. I at once frankly stated the circumstances under which the brief had come into my hands, and observed, that if, for lack of advised preparation, the plaintiff's case failed on that day, another trial, under favour of the court above, would, I doubted not, at no distant period of time, reverse the possibly at present unfavourable decision. " My learned friends on the other side," I continued, " smile at this qualified admission of mine : let them do so. If they apparently establish to-day the validity of a will which strips an only child of the inheritance bequeathed by her father, they will, I tell them emphatically, have obtained but a temporary triumph for a person who—if I, if you, gentlemen of the jury, are to believe the case intended to be set up as a bar to the plaintiff's claim—has succeeded by the grossest brutality, the most atrocious devices, in bending the mind of the deceased Mrs. Thorndyke to his selfish purposes. My learned friend need not interrupt me ; I shall pursue these observa-

tions for the present no further—merely adding that I, that his lordship, that you, gentlemen of the jury, will require of him the strictest proof, proof clear as light, that the instrument upon which he relies to defeat the equitable, the righteous claim of the young and amiable person by my side, is genuine, and not, as I verily believe”—I looked, as I spoke, full in the face of Thorndyke—“FORGED.”

“My lord,” exclaimed the opposing counsel, “this is really insufferable!”

His lordship, however, did not interpose; and I went on to relate, in the most telling manner of which I was capable, the history of the deceased Mrs. Thorndyke’s first and second marriages; the harmony and happiness of the first, the wretchedness and cruelty which characterised the second. I narrated also the dying words of Mrs. Thorndyke to her daughter, though repeatedly interrupted by the defendant’s counsel, who manifested great indignation that a statement unsusceptible of legal proof should be addressed to the court and jury. My address concluded, I put in James Woodley’s will; and as the opposing counsel did not dispute its validity, nor require proof of Mary Woodley’s identity, I intimated that the plaintiff’s case was closed.

The speech for the defendant was calm and guarded. It threw, or rather attempted to throw, discredit on the deathbed “fiction,” got up, Mr. P—— said, simply with a view to effect; and he concluded by

averring that he should be able to establish the genuineness of the will of Ellen Thorndyke, now produced, by irresistible evidence. That done, however much the jury might wish the property had been otherwise disposed of, they would of course return a verdict in accordance with their oaths and the law of the land.

The first witness called was Thomas Headley, a smith, residing near Dale Farm. He swore positively that the late Mrs. Thorndyke, whom he knew well, had cheerfully signed the will now produced, after it had been deliberately read over to her by her husband about a fortnight before her death. Silas Thorndyke, John Cummins, Elizabeth Wareing, and witness, were the only persons present. Mrs. Thorndyke expressed confidence that her husband would provide for Mary Woodley.

“And so I will,” said sleek Silas, rising up, and looking round upon the auditory. “If she will return, I will be a father to her.”

No look, no sound of sympathy or approval, greeted this generous declaration, and he sat down again, not a little disconcerted.

I asked this burly, half-drunken witness but one question—“When is your marriage with Rebecca Thorndyke, the defendant’s eldest daughter, to be celebrated?”

“I don’t know, Mr. Lawyer; perhaps never.”

“That will do; you can go down.”

Mr. P—— now rose to state that his client was unable to produce Elizabeth Wareing, another of the attesting witnesses to the will, in court. No suspicion had been entertained that any opposition to the solemn testament made by the deceased Mrs. Thorndyke would be attempted; and the woman, unaware that her testimony would be required, had left that part of the country. Every effort had been made by the defendant to discover her abode without effect. It was believed she had gone to America, where she had relatives. The defendant had filed an affidavit setting forth these facts, and it was now prayed that secondary evidence to establish the genuineness of Elizabeth Wareing's attesting signature should be admitted.

I of course vehemently opposed this demand, and broadly hinted that the witness was purposely kept out of the way.

"Will my learned friend," said Mr. P——, with one of his sliest sneers, "inform us what motive the defendant could possibly have to keep back a witness so necessary to him?"

"Elizabeth Wareing," I curtly replied, "may not, upon reflection, be deemed a safe witness to subject to the ordeal of a cross-examination. But to settle the matter, my lord," I exclaimed, "I have here an affidavit of the plaintiff's attorney, in which he states that he has no doubt of being able to find this important witness if time be allowed him for the

purpose ; the defendant of course undertaking to call her when produced."

A tremendous clamour of counsel hercupon ensued, and fierce and angry grew the war of words. The hubbub was at last terminated by the judge recommending that, under the circumstances, "a juror should be withdrawn." This suggestion, after some demur, was agreed to. One of the jurors was whispered to come out of the box ; then the clerk of the court exclaimed, "My lord, there are only eleven men on the jury ;" and by the aid of this venerable, if clumsy, expedient, the cause of Woodley *versus* Thorndyke was *de facto* adjourned to a future day.

I had not long returned to the hotel, when I was waited upon by Mr. Wilford, senior, the father of the young man who had been forbidden to visit Dale Farm by Thorndyke. His son, he informed me, was ill from chagrin and anxiety—confined to his bed, indeed ; and Mary Woodley had refused, it seemed, to accept pecuniary aid from either the father or the son. Would I endeavour to terminate the estrangement which had for some time unhappily existed, and persuade her to accept his, Wilford senior's, freely-offered purse and services ? I instantly accepted both the mission and the large sum which the excellent man tendered. A part of the money I gave Barnes to stimulate his exertions, and the rest I placed in the hand of Mary Woodley's grandpapa, with a friendly admonition to him not to allow his

grandchild to make a fool of herself; an exhortation which produced its effect in due season.

Summer passed away, autumn had come and gone, and the winter assizes were once more upon us. Regular proceedings had been taken, and the action in ejectment of Woodley *versus* Thorndyke was once more on the cause list of the Chester circuit court, marked this time as a special jury case. Indefatigable as Mr. Barnes had been in his search for Elizabeth Wareing, not the slightest trace of her could he discover; and I went into court, therefore, with but slight expectation of invalidating the, as I fully believed, fictitious will. We had, however, obtained a good deal of information relative to the former history not only of the absent Mrs. Wareing, but of Thorndyke himself; and it was quite within the range of probabilities that something might come out, enabling me to use that knowledge to good purpose. The plaintiff and old Mr. Ward were seated in court beside Mr. Barnes, as on the former abortive trial; but Mary Woodley had, fortunately for herself, lost much of the interest which attaches to female comeliness and grace when associated in the mind of the spectator with undeserved calamity and sorrow. The black dress which she still wore—the orthodox twelve months of mourning for a parent had not yet quite elapsed—was now fresh, and of fine quality, and the pale lilies of her face were interspersed with delicate roses; whilst by her side sat Mr. John Wilford,

as happy-looking as if no such things as perjurors, forgers, or adverse verdicts existed to disturb the peace of the glad world. Altogether, we were decidedly less interesting than on the former occasion. Edward Wareing, I must not omit to add, was, greatly to our surprise, present. He sat, in great apparent amity, by the side of Thorndyke.

It was late in the afternoon, and twilight was gradually stealing over the dingy court, when the case was called. The special jury answered to their names, were duly sworn, and then nearly the same preliminary speeches and admissions were made and put in as on the previous occasion. Thomas Headley, the first witness called in support of the pretended will, underwent a rigorous cross-examination ; but I was unable to extract anything of importance from him.

“ And now,” said the defendant’s leading counsel, “ let me ask my learned friend if he has succeeded in obtaining the attendance of Elizabeth Wareing ?”

I was of course obliged to confess that we had been unable to find her ; and the judge remarked that in that case he could receive secondary evidence in proof of her attestation of the will.

A whispered but manifestly eager conference here took place between the defendant and his counsel, occasionally joined in by Edward Wareing. There appeared to be indecision or hesitation in their deliberations ; but at last Mr. P—— rose, and with some ostentation of manner addressed the court.

“ In the discharge of my duty to the defendant in this action, my lord, upon whose fair fame much undeserved obloquy has been cast by the speeches of the plaintiff’s counsel—speeches unsupported by a shadow of evidence—I have to state that, anxious above all things to stand perfectly justified before his neighbours and society, he has, at great trouble and expense, obtained the presence here to-day of the witness Elizabeth Wareing. She had gone to reside in France with a respectable English family in the situation of housekeeper. We shall now place her in the witness-box, and having done so, I trust we shall hear no more of the slanderous imputations so freely lavished upon my client. Call Elizabeth Wareing into court.”

A movement of surprise and curiosity agitated the entire auditory at this announcement. Mr. Silas Thorndyke’s naturally cadaverous countenance assumed an ashy hue, spite of his efforts to appear easy and jubilant; and for the first time since the commencement of the proceedings I entertained the hope of a successful issue.

Mrs. Wareing appeared in answer to the call, and was duly sworn “ to tell the truth, the whole truth, and nothing but the truth.” She was a good-looking woman, of perhaps forty years of age, and bore a striking resemblance to her son. She rapidly, smoothly, and unhesitatingly confirmed the evidence of Headley to a tittle. She trembled, I observed,

excessively ; and on the examining counsel intimating that he had no more questions to ask, turned hastily to leave the box.

"Stay, stay, my good woman," I exclaimed ; "you and I must have some talk together before we part."

She started, and looked at me with frightened earnestness ; and then her nervous glances stole towards Mr. Silas Thorndyke. There was no comfort there : in his countenance she only saw the reflex of the agitation and anxiety which marked her own. Sleek Silas, I could see, already repented of the rash move he had made, and would have given a good deal to get his witness safely and quietly out of court.

It was now nearly dark, and observing that it was necessary the court and jury should see as well as hear the witness whilst under examination, I requested that lights should be brought in. This was done. Two candles were placed in front of the witness-box, one on each side of Mrs. Wareing ; a few others were disposed about the bench and jury desks. The effect of this partial lighting of the gloomy old court was, that the witness stood out in strong and bright relief from the surrounding shadows, rendering the minutest change or play of her features distinctly visible. Mr. Silas Thorndyke was, from his position, thrown entirely into the shade, and any telegraphing between him and the witness was thus rendered impossible. This preparation, as if for some extraordinary and solemn purpose, together with the

profound silence which reigned in the court, told fearfully, as I expected, upon the nerves of Mrs. Elizabeth Wareing. She already seemed as if about to swoon with agitation and ill-defined alarm.

"Pray, madam," said I, "is your name Wareing or Tucker?"

She did not answer, and I repeated the question. "Tucker," she at last replied, in a tremulous whisper.

"I thought so. And pray, Mrs. Tucker, were you ever 'in trouble' in London for robbing your lodgings?"

I thought she attempted to answer, but no sound passed her lips. One of the ushers of the court handed her a glass of water at my suggestion, and she seemed to recover somewhat. I pressed my question, and at last she replied, in the same low, agitated voice, "Yes, I have been."

"I know you have. Mr. Silas Thorndyke, I believe, was your bail on that occasion, and the matter was, I understand, compromised—arranged—at all events the prosecution was not pressed. Is not that so?"

"Yes—no—yes."

"Very well: either answer will do. You lived also, I believe, with Mr. Thorndyke, as his house-keeper of course, when he was in business as a concocter and vender of infallible drugs and pills?"

"Yes."

"He was held to be skilful in the preparation of drugs, was he not—well versed in their properties?"

"Yes—I believe so—I do not know. Why am I asked such questions?"

"You will know presently. And now, woman, answer the question I am about to put to you, as you will be compelled to answer it to God at the last great day—What was the nature of the drug which you or he mixed with the medicine prescribed for the late Mrs. Thorndyke?"

A spasmodic shriek, checked by a desperate effort, partially escaped her, and she stood fixedly gazing with starting eyes in my face.

The profoundest silence reigned in the court as I iterated the question.

"You must answer, woman," said the judge sternly, "unless you know your answer will criminate yourself."

The witness looked wildly round the court, as if in search of counsel or sympathy; but encountering none but frowning and eager faces—Thorndyke she could not discern in the darkness—she became giddy and panic-stricken, and seemed to lose all presence of mind.

"He—he—he," she at last gasped—"he mixed it. I do not know—— But how," she added, pushing back her hair, and pressing her hands against her hot temples, "can this be? What can it mean?"

A movement amongst the bystanders just at this moment attracted the notice of the judge, and he immediately exclaimed, "The defendant must not

leave the court!" An officer placed himself beside the wretched murderer as well as forger, and I resumed the cross-examination of the witness.

"Now, Mrs. Tucker, please to look at this letter." (It was that which had been addressed to Mary Woodley by Mrs. Tucker's son.) "That, I believe, is your son's handwriting?"

"Yes."

"The body of this will has been written by the same hand. Now, woman, answer. Was it your son—this young man who, you perceive, if guilty cannot escape from justice—was it he who forged the names of the deceased Mrs. Thorndyke and of John Cummins attached to it?"

"Not he—not he!" shrieked the wretched woman. "It was Thorndyke—Thorndyke himself." And then, with a sudden revulsion of feeling, as the consequences of what she had uttered flashed upon her, she exclaimed, "O, Silas, what have I said?—what have I done?"

"Hanged me, that's all, you accursed devil!" replied Thorndyke with gloomy ferocity. "But I deserve it for trusting in such an idiot: dolt and fool that I was for doing so!"

The woman sank down in strong convulsions, and was, by direction of the judge, carried out of the hall.

The anxious silence which pervaded the court during this scene, in which the reader will have observed I played a bold, tentative, and happily

successful game, was broken as the witness was borne off by a loud murmur of indignation, followed by congratulatory exclamations on the fortunate termination of the suit. The defendant's counsel threw up their briefs, and a verdict was at once returned for the plaintiff.

All the inculpated parties were speedily in custody; and the body of Mrs. Thorndyke having been disinterred, it was discovered that she had been destroyed by bichloride of mercury, of which a considerable quantity was detected in the body. I was not present at the trial of Thorndyke and his accomplices—he for murder, and Headley for perjury—but I saw by the public prints that Thorndyke was found guilty and executed: Headley was transported: the woman was, if I remember rightly, admitted evidence for the crown.

Mary Woodley was of course put into immediate possession of her paternal inheritance; and is now—at least she was about four months ago, when I dined with her and her husband at Dale Farm—a comely, prosperous matron; and as happy as a woman with a numerous progeny and an easy-tempered partner can in this, according to romance writers, vale of grief and tears expect to be. The service I was fortunately enabled to render her forms one of the most pleasing recollections of my life.

## Experiences of a Barrister.

---

### CIRCUMSTANTIAL EVIDENCE.

---

In the second year of my connection with the Northern Circuit, when even *junior* briefs were much less numerous than acceptable, I was agreeably surprised, as I sat musing on the evening of my arrival in the ancient city of York upon the capricious mode in which those powerful personages the attorneys distributed their valuable favours, by the entrance of one of the most eminent of the race practising in that part of the country, and the forthwith tender of a bulky brief in the Crown Court, on which, as my

glance instinctively fell on the interesting figures, I perceived that the large fee, in criminal cases, of fifty guineas was marked. The local newspapers, from which I had occasionally seen extracts, had been for some time busy with the case; and I knew it therefore to be, relatively to the condition in life of the principal person implicated, an important one. Rumour had assigned the conduct of the defence to an eminent leader on the circuit—since, one of our ablest judges; and on looking more closely at the brief, I perceived that that gentleman's name had been crossed out, and mine substituted. The fee also—a much less agreeable alteration—had been, I saw, considerably reduced; in accordance, doubtless, with the attorney's appreciation of the difference of value between a silk and a stuff gown.

“ You are not, sir, I believe, retained for the prosecution in the Crown against Everett?” said Mr. Sharpe in his brief, business manner.

“ I am not, Mr. Sharpe.”

“ In that case, I beg to tender you the leading brief for the defence. It was intended, as you perceive, to place it in the hands of our great *nisi prius* leader, but he will be so completely occupied in that court, that he has been compelled to decline it. He mentioned you; and from what I have myself seen of you in several cases, I have no doubt my unfortunate client will have ample justice done him. Mr. Kingston will be with you.”

I thanked Mr. Sharpe for his compliment, and accepted his brief. As the commission would be opened on the following morning, I at once applied myself to the perusal of the bulky paper, aided as I read by the verbal explanations and commentaries of Mr. Sharpe. Our conference lasted several hours ; and it was arranged that another should be held early the next morning at Mr. Sharpe's office, at which Mr. Kingston would assist.

Dark, intricate, compassed with fearful mystery, was the case so suddenly submitted to my guidance ; and the few faint gleams of light derived from the attorney's research, prescience, and sagacity, served but to render dimly visible a still profounder and blacker abyss of crime than that disclosed by the evidence for the crown. Young as I then was in the profession, no marvel that I felt oppressed by the weight of the responsibility cast upon me ; or that, when wearied with thinking, and dizzy with profitless conjecture, I threw myself into bed, perplexing images and shapes of guilt and terror pursued me through my troubled sleep ! Happily the next day was not that of trial ; for I awoke with a throbbing pulse and burning brain, and should have been but poorly prepared for a struggle involving the issues of life and death. Extremely sensitive, as, under the circumstances, I must necessarily have been, to the arduous nature of the grave duties so unexpectedly devolved upon me, the following *r  sum  * of the chief

incidents of the case, as confided to me by Mr. Sharpe, will, I think, fully account to the reader for the nervous irritability under which I for the moment laboured :—

Mr. Frederick Everett, the prisoner about to be arraigned before a jury of his countrymen for the frightful crime of murder, had, with his father, Captain Antony Everett, resided for several years past at Woodlands Manor-House, the seat of Mrs. Eleanor Fitzhugh, a rich, elderly maiden lady, aunt to the first, and sister by marriage to the last named gentleman. A generous, pious, high-minded person Mrs. Fitzhugh was represented to have been, but extremely sensitive withal on the score of “family.” The Fitzhughs of Yorkshire, she was wont to boast, “came in with the Conqueror;” and any branch of the glorious tree then firmly planted in the soil of England that degraded itself by an alliance with wealth, beauty, or worth, dwelling without the pale of her narrow prejudices, was inexorably cut off from her affections, and, as far as she was able, from her memory. One of the principal of these offenders had been Mary Fitzhugh, her young, fair, gentle, and only sister. In utter disdain and slight of the dignity of ancestry, she had chosen to unite herself to a gentleman of the name of Mordaunt, who, though possessed of great talents, an unspotted name, and, for his age, high rank in the civil service of the East India Company, had—*inexpiable misfortune!*—a

trader for his grandfather! This crime against her “house” Mrs. Eleanor Fitzhugh resolved never to forgive; and she steadily returned, unopened, the frequent letters addressed to her by her sister, who pined in her distant Indian home for a renewal of the old sisterly love which had watched over and gladdened her life from infancy to womanhood. A long silence—a silence of many years—succeeded; broken at last by the sad announcement that the unforgiven one had long since found an early grave in a foreign land. The letter which brought the intelligence bore the London post-mark, and was written by Captain Everett; to whom, it was stated, Mrs. Eleanor Fitzhugh’s sister, early widowed, had been united in second nuptials, and by whom she had borne a son, Frederick Everett, now nearly twenty years of age. The long-pent-up affection of Mrs. Fitzhugh for her once idolised sister burst forth at this announcement of her death with uncontrollable violence; and as some atonement for her past sinful obduracy, she immediately invited the husband and son of her long-lost Mary to Woodlands Manor-House, to be henceforth, she said, she hoped their home. Soon after their arrival Mrs. Fitzhugh made a will—the family property was entirely at her disposal—revoking a former one, which bequeathed the whole of the real and personal property to a distant relative whom she had never seen, and by which all was devised to her nephew, who was immediately pro-

claimed sole heir to the Fitzhugh estates, yielding a yearly rental of at least 12,000*l.* Nay, so thoroughly was she softened towards the memory of her deceased sister, that the will—of which, as I have stated, no secret was made—provided, in the event of Frederick dying childless, that the property should pass to his father, Mary Fitzhugh's second husband.

No two persons could be more unlike than were the father and son—mentally, morally, physically. Frederick Everett was a fair-haired, blue-eyed young man, of amiable, caressing manners, gentlest disposition, and ardent poetic temperament. His father, on the contrary, was a dark-featured, cold, haughty, repulsive man, ever apparently wrapped up in selfish and moody reveries. Between him and his son there appeared to exist but little of cordial intercourse, although the highly-sensitive and religious tone of mind of Frederick Everett caused him to treat his parent with unvarying deference and respect.

The poetic temperament of Frederick Everett brought him at last, as poetic temperaments are apt to do, into trouble. Youth, beauty, innocence, and grace, united in the person of Lucy Carrington—the only child of Mr. Stephen Carrington, a respectable retired merchant of moderate means, residing within a few miles of Woodlands Manor-House—crossed his path ; and spite of his shield of many quarterings, he was vanquished in an instant, and almost without

resistance. The at least tacit consent and approval of Mr. Carrington and his fair daughter secured, Mr. Everett, junior—hasty, headstrong lover that he was—immediately disclosed his matrimonial projects to his father and aunt. Captain Everett received the announcement with a sarcastic smile, coldly remarking, that if Mrs. Fitzhugh was satisfied, *he* had no objection to offer. But, alas! no sooner did her nephew, with much periphrastic eloquence, impart his passion for the daughter of a *mere* merchant to his aunt, than a vehement torrent of indignant rebuke broke from her lips. She would die rather than consent to so degrading a *mésalliance*; and should he persist in yielding to such gross infatuation, she would not only disinherit, but banish him her house, and cast him forth a beggar on the world. Language like this, one can easily understand, provoked language from the indignant young man which in less heated moments he would have disdained to utter; and the aunt and nephew parted in fierce anger, and after mutual denunciation of each other—he as a disobedient ingrate, she as an imperious, ungenerous tyrant. The quarrel was with some difficulty patched up by Captain Everett; and with the exception of the change which took place in the disappointed lover's demeanour—from light-hearted gaiety to gloom and sullenness—things, after a few days, went on pretty nearly as before.

The sudden rupture of the hopes Mrs. Eleanor

Fitzhugh had reposed in her nephew as the restorer of the glories of her ancient “house,” tarnished by Mary Fitzhugh’s marriage, affected dangerously, it soon appeared, that lady’s already failing health. A fortnight after the quarrel with her nephew, she became alarmingly ill. Unusual and baffling symptoms showed themselves; and after suffering during eight days from alternate acute pain, and heavy, unconquerable drowsiness, she expired in her nephew’s arms. This sudden and fatal illness of his relative appeared to reawaken all Frederick Everett’s tenderness and affection for her. He was incessant in his close attendance in the sick-chamber, permitting no one else to administer to his aunt either aliment or medicine. On this latter point, indeed, he insisted, with strange fierceness, taking the medicine with his own hand from the man who brought it; and after administering the prescribed quantity, carefully locking up the remainder in a cabinet in his bedroom.

On the morning of the day that Mrs. Fitzhugh died, her ordinary medical attendant, Mr. Smith, terrified and perplexed by the urgency of the symptoms exhibited by his patient, called in the aid of a locally-eminent physician, Dr. Archer, or Archford—the name is not very distinctly written in my memoranda of these occurrences, but we will call him Archer—who at once changed the treatment till then pursued, and ordered powerful emetics to be administered, without,

however, as we have seen, producing any saving or sensible effect. The grief of Frederick Everett, when all hope was over, was unbounded. He threw himself, in a paroxysm of remorse or frenzy, upon the bed, accusing himself of having murdered her, with other strange and incoherent expressions, upon which an intimation soon afterwards made by Dr. Archer threw startling light. That gentleman, conjointly with Mr. Smith, requested an immediate interview with Captain Everett and Mr. Hardyman, the deceased lady's land-steward and solicitor, who happened to be in the house at the time. The request was of course complied with, and Dr. Archer at once bluntly stated that, in his opinion, *poison* had been administered to the deceased lady, though of what precise kind he was somewhat at a loss to conjecture—opium essentially, he thought, though certainly not in any of its ordinary preparations—one of the alkaloids probably which chemical science had recently discovered. Be this as it may, a *post-mortem* examination of the body would clear up all doubts, and should take place as speedily as possible. Captain Everett at once acceded to Dr. Archer's proposal, at the same time observing that he was quite sure the result would entirely disprove that gentleman's assumption. Mr. Hardyman also fully concurred in the necessity of a rigid investigation; and the *post-mortem* examination should, it was arranged, take place early the following morning.

"I have another and very painful duty to perform," continued Dr. Archer, addressing Captain Everett. "I find that your son, Mr. Frederick Everett, alone administered medicine and aliment to Mrs. Fitzhugh during her illness. Strange, possibly wholly frenzied expressions, but which sounded vastly like cries of remorse, irrepressible by a person unused to crime, escaped him in my hearing just after the close of the final scene; and—— But perhaps, Captain Everett, you had better retire; this is scarcely a subject"—

"Go on, sir," said the captain, over whose countenance a strange expression, to use Dr. Archer's own words, had *flashed*; "go on; I am better now."

"We all know," resumed Dr. Archer, "how greatly Mr. Frederick Everett gains in wealth by his aunt's death; and that her decease, moreover, will enable him to conclude the marriage to which she was so determinedly opposed. I think, therefore, that, under all the circumstances, we shall be fully justified in placing the young gentleman under such—I will not say custody, but *surveillance*, as will prevent him either from leaving the house, should he imagine himself suspected, or of destroying any evidence which may possibly exist of his guilt, if indeed he be guilty."

"I entirely agree with you, Dr. Archer," exclaimed Mr. Hardyman, who had listened with much excitement to the doctor's narrative; "and will, upon my

own responsibility, take the necessary steps for effecting the object you have in view."

"Gentlemen," said Captain Everett, rising from his chair, "you will of course do your duty; but I can take no part, nor offer any counsel, in such a case; I must leave you to your own devices." He then left the apartment.

He had been gone but a few minutes, when Frederick Everett, still in a state of terrible excitement, entered the room, strode fiercely up to Dr. Archer, and demanded how he dare propose, as the butler had just informed him he had done, a dissection of his aunt's body.

"I will not permit it," continued the agitated young man: "I am master here, and I say it shall not be done. What new horror would you evoke? Is it not enough that one of the kindest, best of God's creatures has perished, but *another* sacrifice must— What do I say? Enough that I will not permit it. I have seen similar cases, very similar cases, in—in India!"

The gentlemen so strangely addressed had exchanged significant glances during the delivery of this incoherent speech; and, quite confirmed in their previous impression, Mr. Hardyman, as their spokesman, interrupted the speaker, to inform him that *he* was the suspected assassin of his aunt! The accusing sentences had hardly passed the solicitor's lips, when the furious young man sprang towards him with the

bound of a tiger, and at one blow prostrated him on the floor. He was immediately seized by the two medical gentlemen, and help having been summoned, he was with much difficulty secured, and placed in strict confinement, to await the result of the next day's inquiry.

The examination of the body disclosed the terrible fact that the deceased lady had perished by *acetate of morphine*; thus verifying the sagacious guess of Dr. Archer. A minute search was immediately made throughout Mr. Frederick Everett's apartments, and behind one of the drawers of a cabinet in his bedroom—at the back of the shelf or partition upon which the drawer rested, and of course completely hidden by the drawer itself when in its place—was found a flat tin flask, fluted on the outside, and closed with a screw stopper: it was loosely enveloped in a sheet of brown paper, directed—"Everett, Esq., Woodlands Manor-House, Yorkshire;" and upon close examination, a small quantity of white powder, which proved to be *acetate of morphine*, was found in the flask. Suspicion of young Everett's guilt now became conviction; and, as if to confirm beyond all doubt the soundness of the chain of circumstantial evidence in which he was immeshed, the butler, John Darby, an aged and trusty servant of the late Mrs. Fitzhugh, made on the next day the following deposition before the magistrates:—

"He had taken in, two days before his late mistress

was seized with her fatal illness, a small brown-paper parcel, which had been brought by coach from London, and for which 2s. 10d. carriage was charged and paid. The paper found in Mr. Frederick Everett's cabinet was, he could positively swear, from the date and figures marked on it, and the hand-writing, the paper wrapper of that parcel. He had given it to young Mr. Everett, who happened to be in the library at the time. About five minutes afterwards he had occasion to return to the library to inform him that some fishing-tackle he had ordered was sent home. The door was ajar, and Mr. Frederick did not at first perceive his entrance, as he was standing with his back to the door. The paper parcel he, the butler, had just before delivered was lying open on the table, and Mr. Everett held in one hand a flat tin flask (the witness had no doubt the same found in the cabinet), and in the other a note, which he was reading. He, the witness, coughed, to attract Mr. Everett's attention, who hurriedly turned round, clapped down the flask and the note, shuffling them under the paper wrapper, as if to conceal them, and then, in a very confused manner, and his face as red as flame, asked witness what he wanted thereto? Witness thought this behaviour very strange at the time; but the incident soon passed from his mind, and he had thought no more of it till the finding of the paper and flask as described by the other witnesses."

Mr. Frederick Everett, who had manifested the strangest impassibility, a calmness as of despair, throughout the inquiry, which perplexed and disheartened Mr. Sharpe, whose services had been retained by Captain Everett, allowed even this mischievous evidence to pass without a word of comment or explanation ; and he was, as a matter of course, fully committed for the wilful murder of his relative. The chain of circumstantial evidence, motive included, was, it was felt, complete, not a link was wanting.

These were the chief incidents disclosed to me by Mr. Sharpe during our long and painful consultation. Of the precise nature of the terrible suspicions which haunted and disturbed me, I shall only in this place say that neither Mr. Sharpe, nor, consequently, myself, would in all probability have guessed or glanced at them, but for the persistent assertions of Miss Carington, that her lover was madly sacrificing himself from some chimerical motive of honour or duty.

“ You do not know, Mr. Sharpe, as I do,” she would frequently exclaim, with tearful vehemence, “ the generous, childlike simplicity, the chivalric enthusiasm, of his character, his utter abnegation of self, and readiness on all occasions to sacrifice his own ease, his own wishes, to forward the happiness of others ; and, above all, his fantastic notions of honour (duty, if you will), which would, I feel assured, prompt him to incur any peril, death itself, to shield from danger any one who had claims upon him either

of blood or of affection. You know to whom my suspicions point; and how dreadful to think that one so young, so brave, so pious, and so true, should be sacrificed for such a monster as I believe that man to be!"

To all these passionate expostulations the attorney could only reply that vague suspicions were not judicial proofs; and that if Mr. Frederick Everett would persist in his obstinate reserve, a fatal result was inevitable. But Mr. Sharpe readily consented to gratify the wishes of Mr. Carrington and his daughter on one point: he returned the money, not a very large sum, which Captain Everett had sent him, and agreed that Mr. Carrington should supply the funds necessary for the defence of the prisoner.

Our consultation the next day at Mr. Sharpe's was a sad and hopeless one. Nowhere did a gleam of cheerful light break in. The case was overwhelmingly complete against the prisoner. The vague suspicions we entertained pointed to a crime so monstrous, so incredible, that we felt it could not be so much as hinted at upon such, legally considered, slight grounds. The prisoner was said to be an eloquent speaker, and I undertook to draw up the outline of a defence, impugning, with all the dialectic skill I was master of, the conclusiveness of the evidence for the crown. On this, and a host of testimony to character which we proposed to call, rested our faint hopes of "a good deliverance!"

Business was over, and we were taking a glass of

wine with Mr. Sharpe, when his chief clerk entered to say that Sergeant Edwards, an old soldier (who had spoken to them some time before relative to a large claim which he asserted he had against Captain Everett, arising out of a legacy bequeathed to him in India, and the best mode of assuring its payment by an annuity, as proposed by the captain) had now called to say that the terms were at last finally arranged, and that he wished to know when Mr. Sharpe would be at leisure to draw up the bond. “ He need not fear for his money,” exclaimed Sharpe, tartly, “ the captain will, I fear, be rich enough before another week has passed over our heads. Tell him to call to-morrow evening ; I will see him after I return from court.” A few minutes afterwards, I and Mr. Kingston took our leave.

The Crown Court was thronged to suffocation on the following morning, and the excitement of the auditory appeared to be of the intensest kind. Miss Carrington, closely veiled, sat beside her father on one of the side-benches. A true bill against the prisoner had been found on the previous afternoon ; and the trial, it had been arranged, to suit the convenience of counsel, should be first proceeded with. The court was presided over by Mr. Justice Grose ; and Mr. Gurney (afterwards Mr. Baron Gurney) with another gentleman appeared for the prosecution. As soon as the judge had taken his seat, the prisoner was ordered to be brought in, and a hush of expecta-

tion pervaded the assembly. In a few minutes he made his appearance in the dock. His aspect, calm, mournful, and full of patient resignation, spoke strongly to the feelings of the audience, and a low murmur of sympathy ran through the court. He bowed respectfully to the bench, and then his sad, proud eye wandered round the auditory, till it rested on the form of Lucy Carrington, who, overcome by sudden emotion, had hidden her weeping face in her father's bosom. Strong feeling, which he with difficulty mastered, shook his frame, and blanched to a still deeper pallor his fine intellectual countenance. He slowly withdrew his gaze from the agitating spectacle, and his troubled glance meeting that of Mr. Sharpe, seemed to ask why proceedings, which could only have one termination, were delayed. He had not long to wait. The jury were sworn, and Mr. Gurney rose to address them for the crown. Clear, terse, logical, powerful without the slightest pretence to what is called eloquence, his speech produced a tremendous impression upon all who heard it; and few persons mentally withheld their assent to his assertion, as he concluded what was evidently a painful task, "that should he produce evidence substantiating the statement he had made, the man who could then refuse to believe in the prisoner's guilt, would equally refuse credence to actions witnessed by his own bodily eyes."

The different witnesses were then called, and testified

to the various facts I have before related. Vainly did Mr. Kingston and I exert ourselves to invalidate the irresistible proofs of guilt so dispassionately detailed. "It is useless," whispered Mr. Sharpe, as I sat down after the cross-examination of the aged butler. "You have done all that could be done; but he is a doomed man, spite of his innocence, of which I feel every moment that I look at him, the more and more convinced. God help us, we are poor, fallible creatures, with all our scientific machinery for getting at truth!"

The case for the crown was over, and the prisoner was told that now was the time for him to address the jury in answer to the charge preferred against him. He bowed courteously to the intimation, and drawing a paper from his pocket, spoke after a few preliminary words of course, nearly as follows:—

"I hold in my hand a very acute and eloquent address prepared for me by one of the able and zealous gentlemen who appear to-day as my counsel, and which, but for the iniquitous law which prohibits the advocate of a presumed felon, but possibly quite innocent person, from addressing the jury, upon whose verdict his client's fate depends, would no doubt have formed the subject-matter of an appeal to you not to yield credence to the apparently irrefragable testimony arrayed against me. The substance of this defence you must have gathered from the tenor of the cross-examinations; but so little effect did it produce, I saw, in that form, however ably done, and so satisfied

am I that though it were rendered with an angel's eloquence, it would prove utterly impotent to shake the strong conclusions of my guilt, which you, short-sighted, fallible mortals,—short-sighted and fallible *because mortal!*—I mean no disrespect—must have drawn from the body of evidence you have heard, that I will not weary you or myself by reading it. I will only observe that it points especially to the *over-proof*, so to speak, arrayed against me—to the folly of supposing that an intentional murderer would ostentatiously persist in administering the fatal potion to the victim with his own hands, carefully excluding all others from a chance of incurring suspicion. There are other points, but this is by far the most powerful one; and as I cannot believe *that* will induce you to return a verdict rescuing me from what the foolish world, judging from appearances, will call a shameful death, but which I, knowing my own heart, feel to be sanctified by the highest motives which can influence man—it would be merely waste of time to repeat them. From the first moment, gentlemen, that this accusation was preferred against me, I felt that I had done with this world; and young as I am, but for one beloved being whose presence lighted up and irradiated this else cold and barren earth, I should with little reluctance, have accepted this gift of an apparently severe, but perhaps merciful fate. This life, gentlemen," he continued after a short pause, "it has been well said, is but a battle and a march. I have been

struck down early in the combat; but of what moment is that, if it be found by Him who witnesses the world-unnoticed deeds of *all* his soldiers, that I have earned the victor's crown? Let it be your consolation, gentlemen, if hereafter you should discover that you have sent me to an undeserved death, that you at least will not have hurried a soul spotted with the awful crime of murder before its Maker. And oh," he exclaimed in conclusion, with solemn earnestness, "may *all* who have the guilt of blood upon them hasten, whilst life is still granted them, to cleanse themselves by repentance of that foul sin, so that not only the sacrifice of one poor life, but that most holy and tremendous one offered in the world's consummate hour, may not for them have been made in vain! My lord and gentlemen, I have no more to say. You will doubtless do your duty: I *have* done mine."

I was about, a few minutes after the conclusion of this strange and unexpected address, to call our witnesses to character, when, to the surprise of the whole court, and the consternation of the prisoner, Miss Carrington started up, threw aside her veil, and addressing the judge, demanded to be heard.

Queenly, graceful, and of touching loveliness did she look in her vehemence of sorrow—radiant as sunlight in her days of joy she must have been—as she stood up, affection-prompted, regardless of self, of the world, to make one last effort to save her affianced husband.

"What would you say, young lady?" said Mr. Justice Grose kindly. "If you have anything to testify in favour of the prisoner, you had better communicate with his counsel."

"Not that—not that," she hurriedly replied, as if fearful that her strength would fail before she had enunciated her purpose. "Put, my lord, put Frederick—the prisoner, I mean, on his oath. Bid him declare, as he shall answer at the bar of Almighty God, who is the murderer for whom he is about to madly sacrifice himself, and you will then find"—

"Your request is an absurd one," interrupted the judge with some asperity. "I have no power to question a prisoner."

"Then," shrieked the unfortunate lady, sinking back fainting and helpless in her father's arms, "he is lost—lost!"

She was immediately carried out of court; and as soon as the sensation caused by so extraordinary and painful an incident had subsided, the trial proceeded. A cloud of witnesses to character were called; the judge summed up; the jury deliberated for a few minutes and a verdict of "Guilty" was returned. Sentence to die on the day after the next followed, and all was over!

Yes; all was, we deemed, over; but happily a decree, reversing that of Mr. Justice Grose, had gone forth in Heaven. I was sitting at home about an hour after the court had closed, painfully musing on the

events of the day, when the door of the apartment suddenly flew open, and in rushed Mr. Sharpe in a state of great excitement, accompanied by Sergeant Edwards, whom the reader will remember had called the previous day at that gentleman's house. In a few minutes I was in possession of the following important information, elicited by Mr. Sharpe from the half-willing, half-reluctant sergeant, whom he had found waiting for him at his office :—

In the first place, Captain Everett was *not* the father of the prisoner! The young man was the son of Mary Fitzhugh by her *first* marriage ; and his name, consequently, was Mordaunt, not Everett. His mother had survived her second marriage barely six months. Everett, calculating doubtless upon the great pecuniary advantages which would be likely to result to himself as the reputed father of the heir to a splendid English estate, should the quarrel with Mrs. Eleanor Fitzhugh—as he nothing doubted—be ultimately made up, had brought his deceased wife's infant son up as his own. This was the secret of Edwards and his wife ; and to purchase their silence, Captain Everett had agreed to give the bond for an annuity which Mr. Sharpe was to draw up. The story of the legacy was a mere pretence. When Edwards was in Yorkshire before, Everett pacified him for the time with a sum of money, and a promise to do more for him as soon as his reputed son came into the property. He then hurried the *ci-devant* sergeant back to London : and at

the last interview he had with him, gave him a note addressed to a person living in one of the streets—I forget which—leading out of the Haymarket, together with a five-pound note, which he was to pay the person to whom the letter was addressed for some very rare and valuable powder, which the captain wanted for scientific purposes and which Edwards was to forward by coach to Woodlands Manor-House. Edwards obeyed his instructions, and delivered the message to the queer bushy-bearded foreigner to whom it was addressed, who told him that, if he brought him the sum of money mentioned in the note on the following day, he should have the article required. He also bade him bring a well-stoppered bottle to put it in. As the bottle was to be sent by coach, Edwards purchased a tin flask, as affording a better security against breakage; and having obtained the powder, packed it nicely up, and told his niece, who was staying with him at the time, to direct it, as he was in a hurry to go out, to Squire Everett, Woodlands Manor-House, Yorkshire, and then take it to the booking-office. He thought, of course, though he said *Squire* in a jocular way, that she would have directed it *Captain* Everett, as she knew him well; but it seemed she had not. Edwards had returned to Yorkshire only two days since, to get his annuity settled, and fortunately was present in court at the trial of Frederick Mordaunt, *alias* Everett, and at once recognised the tin flask as the one he had

purchased and forwarded to Woodlands, where it must in due course have arrived on the day stated by the butler. Terrified and bewildered at the consequences of what he had done, or helped to do, Edwards hastened to Mr. Sharpe, who, by dint of exhortations, threats, and promises, judiciously blended, induced him to make a clean breast of it.

As much astounded as elated by this unlooked-for information, it was some minutes before I could sufficiently concentrate my thoughts upon the proper course to be pursued. I was not, however, long in deciding. Leaving Mr. Sharpe to draw up an affidavit of the facts disclosed by Edwards, and to take especial care of that worthy, I hastened off to the jail, in order to obtain a thorough elucidation of all the mysteries connected with the affair before I waited upon Mr. Justice Grose.

The revulsion of feeling in the prisoner's mind when he learned that the man for whom he had so recklessly sacrificed himself was not only *not* his father, but a cold-blooded villain, who, according to the testimony of Sergeant Edwards, had embittered, perhaps shortened, his mother's last hours, was immediate and excessive. "I should have taken Lucy's advice!" he bitterly exclaimed, as he strode to and fro his cell; "have told the truth at all hazards, and have left the rest to God." His explanation of the incidents that had so puzzled us all was as simple as satisfactory. He had always, from his earliest days,

stood much in awe of his father, who in the, to young Mordaunt, sacred character of parent, exercised an irresistible control over him; and when the butler entered the library, he believed for an instant it was his father who had surprised him in the act of reading his correspondence; an act which, however unintentional, would, he knew, excite Captain Everett's fiercest wrath. Hence arose the dismay and confusion which the butler had described. He resealed the parcel, and placed it in his reputed father's dressing-room; and thought little more of the matter, till on entering his aunt's bed-room, on the first evening of her illness, he beheld Everett pour a small portion of white powder from the tin flask into the bottle containing his aunt's medicine. The terrible truth at once flashed upon him. A fierce altercation immediately ensued in the father's dressing-room, whither Frederick followed him. Everett persisted that the powder was a celebrated Eastern medicament, which would save, if anything could, his aunt's life. The young man was not of course deceived by this shallow falsehood, and from that moment administered the medicine to the patient with his own hands, and kept the bottles which contained it locked up in his cabinet. "Fool that I was!" he exclaimed in conclusion, "to trust to such a paltry precaution to defeat that accomplished master of wile and fraud! On the very morning of my aunt's death, I surprised him shutting and locking one of my cabinet drawers. So dumb-

founded was I with horror and dismay at the sight, that he left the room by a side-door without observing me. You have now the key to my conduct. I loathed to look upon the murderer; but I would have died a thousand deaths rather than attempt to save my own life by the sacrifice of a father's—how guilty soever he might be."

Furnished with this explanation, and the affidavit of Edwards, I waited upon the judge, and obtained not only a respite for the prisoner, but a warrant for the arrest of Captain Everett.

It was a busy evening, Edwards was despatched to London in the friendly custody of an intelligent officer, to secure the person of the foreign-looking vendor of subtle poisons ; and Mr. Sharpe, with two constables, set off in a postchaise for Woodlands Manor-House. It was late when they arrived there, and the servants informed them that Captain Everett had already retired. They of course insisted upon seeing him ; and he presently appeared, wrapped in a dressing-gown, and haughtily demanded their business with him at such an hour. The answer smote him as with a thunderbolt, and he staggered backwards, till arrested by the wall of the apartment, and then sank feebly, nervelessly, into a chair. Eagerly, after a pause, he questioned the intruders upon the nature of the evidence against him. Mr. Sharpe briefly replied that Edwards was in custody, and had revealed everything.

"Is it indeed so?" rejoined Everett, seeming to derive resolution and fortitude from the very extremity of despair. "Then the game is unquestionably lost. It was, however, boldly and skilfully played, and I am not a man to whimper over a fatal turn of the dice in a few minutes, gentlemen," he added, "I shall have changed my dress, and be ready to accompany you."

"We cannot lose sight of you for an instant," replied Mr. Sharpe. "One of the officers must accompany you."

"Be it so: I shall not detain either him or you long."

Captain Everett, followed by the officer, passed into his dressing-room. He pulled off his gown; and pointing to a coat suspended on a peg at the further extremity of the apartment, requested the constable to reach it for him. The man hastened to comply with his wish. Swiftly, Everett opened a dressing-case which stood on a table near him: the officer heard the sharp clicking of a pistol-lock, and turned swiftly round. Too late! A loud report rang through the house; the room was filled with smoke! and the wretched assassin and suicide lay extended on the floor a mangled corpse!

It would be useless to minutely recapitulate the final winding up of this eventful drama. Suffice it to record, that the previously-recited facts were judicially established, and that Mr. Frederick Mordaunt was,

after a slight delay, restored to freedom and a splendid position in society. After the lapse of a decent interval, he espoused Lucy Carrington. The union proved, I believe, a very happy one: and they were blessed, I know, with a somewhat numerous progeny. Their eldest son represents in this present parliament one of the English boroughs, and is by no means an undistinguished member of the Commons House.

## *Experiences of a Barrister.*

---

### **“THE ACCOMMODATION BILL.”**

---

Such of the incidents of the following narrative as did not fall within my own personal observation, were communicated to me by the late Mr. Ralph Symonds, and the dying confessions of James Hornby, one of the persons killed by the falling in of the iron roof of the Brunswick Theatre. A conversation the other day with a son of Mr. Symonds, who has been long settled in London, recalled the entire chain of circumstances to my memory with all the vivid distinctness of a first impression.

One evening towards the close of the year 1806, the Leeds coach brought Mr. James Hornby to the village of Pool on the Wharf, in the West-Riding of Yorkshire. A small but respectable house on the confines of the place had been prepared for his reception, and a few minutes after his descent from the top of the coach, the pale, withered-looking man disappeared within it. Except for occasional trips to Otley, a small market-town distant about three miles from Pool, he rarely afterwards emerged from its seclusion. It was not *Time*, we shall presently see—he was indeed but four-and-forty years of age—that had bowed his figure, thinned his whitening hair, and banished from his countenance all signs of healthy, cheerful life. This, too, appeared to be the opinion of the gossips of the village, who, congregated, as usual, to witness the arrival and departure of the coach, indulged, thought Mr. Symonds, who was an inside passenger proceeding on to Otley, in remarkably free-and-easy commentaries upon the past, present, and future of the new-comer.

“I mind him well,” quavered an old white-haired man. “It’s just three-and-twenty years ago last Michaelmas. I remember it because of the hard frost two years before, that young Jim Hornby left Otley to go to Lunnon: just the place, I’m told, to give the finishing polish to such a miscreant as he seemed likely to be. He was just out of his time to old Hornby, his uncle, the grocer.”

“ He that’s left him such heaps of money ?”

“ Ay, boy, the very same, though he wouldn’t have given him or any one else a cheese-paring whilst he lived. This one is a true chip of the old block, I’ll warrant. You noticed that he rode outside, bitter cold as it is ?”

“ Surely, Gaffer Hicks. But do ye mind what it was he went off in such a skurry for ? Tom Harris was saying last night at the Horse-Shoe it was something concerning a horse-race or a young woman ; he warn’t quite sensible which.”

“ I can’t say,” rejoined the more ancient oracle, “ that I quite mind all the ups and downs of it. Henry Burton horsewhipped him on the Doncaster race-course, *that* I know ; but whether it was about Cinderella that had, they said, been tampered with the night before the race, or Miss Elizabeth Gainsford, whom Burton married a few weeks afterwards, I can’t, as Tom Harris says, quite clearly remember.”

“ Old Hornby had a heavy grip of Burton’s farm for a long time before he died, they were saying yesterday at Otley. The sheepskins will now no doubt be in the nephew’s strong box.”

“ True, lad ; and let’s hope Master Burton will be regular with his payments ; for if not, there’s jail and ruin for him written in capital letters on yon fellow’s cast-iron phiz, I can see.”

The random hits of these Pool gossips, which were here interrupted by the departure of the coach, were

not very wide of the mark. James Hornby, it was quite true, had been publicly horsewhipped twenty-three years before by Henry Burton on the Doncaster race-course, ostensibly on account of the sudden withdrawal of a horse that should have started, a transaction with which young Hornby was in some measure mixed up; but especially and really for having dared, upon the strength of presumptive heirship to his uncle's wealth, to advance pretensions to the fair hand of Elizabeth Gainsford, the eldest daughter of Mr. Robert Gainsford, surgeon, of Otley—pretensions indirectly favoured, it was said, by the father, but contemptuously repudiated by the lady. Be this as it may, three weeks after the races, Elizabeth Gainsford became Mrs. Burton, and James Hornby hurried off to London, grudgingly furnished for the journey by his uncle. He obtained a situation as shopman in one of the large grocer establishments of the metropolis; and twenty-three years afterwards, the attorney's letter, informing him that he had succeeded to all his deceased uncle's property, found him in the same place, and in the same capacity.

A perfect yell of delight broke from the lips of the taciturn man as his glance devoured the welcome intelligence. “At last!” he shouted with maniacal glee; and fiercely crumpling the letter in his hand, as if he held a living foe in his grasp, whilst a flash of fiendish passion broke from the deep caverns of his sunken eyes—“at last I have thee on the hip! Ah,

mine enemy!—it is the dead—the dead alone that never return to hurl back on the head of the wrong-doer the shame, the misery, the ruin he inflicted in his hour of triumph!” The violence of passions suddenly unreined after years of jealous curb and watchfulness for a moment overcame him, and he reeled as if fainting into a chair. The fierce, stern nature of the man soon mastered the unwonted excitement, and in a few minutes he was cold, silent, impassible as ever. The letter which he despatched the same evening gave calm, business orders as to his uncle’s funeral, and other pressing matters upon which the attorney had demanded instructions, and concluded by intimating that he should be in Yorkshire before many days had elapsed. He arrived, as we have seen, and took up his abode at one of the houses bequeathed to him in Pool, which happened to be unlet.

Yes, for more than twenty bitter years James Hornby had savagely brooded over the shame and wrong inflicted on him before the mocking eyes of a brutal crowd by Henry Burton. Ever as the day’s routine business closed, and he retired to the dull solitude of his chamber, the last mind-picture which faded on his waking sense was the scene on the crowded race-course, with all its exasperating accessories—the merciless exultation of the triumphant adversary—the jibes and laughter of his companions—the hootings of the mob—to be again repeated with

fantastic exaggeration in the dreams which troubled and perplexed his broken sleep. No wonder that the demons of Revenge and Hate, by whom he was thus goaded, should have withered by their poisonous breath the healthful life which God had given—have blasted with premature old age a body rocked with curses to unblessed repose! It seemed, by his after-confessions, that he had really loved Elizabeth Gainsford with all the energy of his violent, moody nature, and that her image, fresh, lustrous, radiant, as in the dawn of life, unceasingly haunted his imagination with visions of tenderness and beauty, lost to him, as he believed, through the wiles, the calumnies, and violence of his detested, successful rival.

The matronly person who, a few days after the Christmas following Hornby's arrival at Pool, was conversing with her husband in the parlour of Grange farmhouse, scarcely realised the air-drawn image which dwelt in the memory of the unforgiving, unforgetting man. Mrs. Burton was at this time a comely dame, whose *embonpoint* contour, however indicative of florid health and serenity of temper, exhibited little of the airy elegance and grace said to have distinguished the girlhood of Elizabeth Gainsford. Her soft brown eyes were gentle and kind as ever, but the brilliant lights of youth no longer sparkled in their quiet depths, and time had not only “thinned her flowing hair”—necessitating caps—but had brushed the roses from her cheeks, and swept

away, with his searing hand, the pale lilies from the furtive coverts whence they had glanced in tremulous beauty, in life's sweet prime! yet for all that, and a great deal more, Mrs. Burton, I have no manner of doubt, looked charmingly in the bright fire-blaze which gleamed in chequered light and shade upon the walls, pictures, curtains of the room, and the green leaves and scarlet berries of the Christmas holly with which it was profusely decorated. Three of her children—the eldest, Elizabeth, a resuscitation of her own youth—were by her side, and opposite sat her husband, whose frank, hearty countenance seemed to sparkle with careless mirth.

"Hornby will be here presently, Elizabeth," said he. "What a disappointment awaits the rascally curmudgeon! His uncle was a prince compared to him."

"Disappointment, Henry! to receive four hundred pounds he did not expect!"

"Ay, truly, dame. Lawyer Symonds' son Frank, a fine, good-hearted young fellow as ever stepped in shoe-leather——Lizzy, girl, if that candle were nearer your face it would light without a match"——

"Nonsense, father!"

"Very likely. Frank Symonds, I was saying, believes, and so does his father, that Hornby would rejoice at an opportunity of returning with interest the smart score I marked upon his back three-and-twenty years ago."

"It was a thoughtless, cruel act, Henry," rejoined his wife, "and the less said of it the better. I hope the fright we have had will induce you to practise a better economy than heretofore; so that, instead of allowing two years' interest to accumulate upon us, we may gradually reduce the mortgage."

"That we will, dear, depend upon it. We shall be pushed a little at first: Kirkshawe, who lent me the two hundred and fifty, can only spare it for a month; but no doubt the bank will do a bill for part of it by that time. But sufficient for the day is the evil thereof. Here is the money for Hornby at all events: and here at last comes the shrivelled atom; I hear his horse. Fanny, light the candles."

If Mrs. Burton had consciously or unconsciously entertained the self-flattering notion that the still unwedded bachelor who had unsuccessfully wooed her nearly a quarter of a century before, still retained a feeling of regretful tenderness for her, she must have been grievously surprised by the cold, unrecognising glance which Hornby threw on her as he entered, and curtly replied to her civil greeting. *That* was not the image stamped upon his heart and brain! But when her eldest daughter approached the lights to place paper and pens upon the table, the flashing glance and white quivering lip of the grave visitor revealed the tempest of emotion which for an instant shook him. He quickly suppressed all outward manifestation of feeling, and in a dry business tone

demanded if Mr. Burton was ready to pay the interest of the mortgage.

“Yes, thank God,” replied Burton, “I am: here is the money in notes of the Governor and Company of the Bank of England. Count them!”

Hornby bent down over the notes, shading his face with his hand, as if more accurately to examine them, and the glance of baffled rage which swept across his features was not observed.

“They are quite right,” he said, rising from his chair; “and here is your receipt.”

“Very good! And now, Hornby, let us have a glass of wine together for the sake of old times. Well, well; you need not look so fierce about it. Let bygones be bygones, I say. Oh, if you *will* go—go in God’s name! Good-night!”

“Good-night!”

“Baffled—foiled!” muttered Hornby as he rode homeward. “Where could he get the money? Borrowed it, doubtless; but of whom? Well, patience—patience! I shall grip thee yet, Henry Burton!” And the possessed man turned round in his saddle, and shook his clenched hand in the direction of the house he had quitted. He then steadily pursued his way, and soon regained his hermitage.

The month for which Burton had borrowed the two hundred and fifty pounds passed rapidly—as months always do to borrowers—and expedient after expedient for raising the money was tried in vain. This money

must be repaid, Kirkshawe had emphatically told him, on the day stipulated. Burton applied to the bank at Leeds with which he usually did business to discount an acceptance, guaranteed by one or two persons whose names he mentioned. The answer was the usual civil refusal to accept the proffered security for repayment—"the bank was just then full of discounts." Burton ventured, as a last resource, to call on Hornby with a request that, as the rapid advance in the market-value of land consequent on the high war-prices obtained for its produce, had greatly increased the worth of Grange Farm, he would add the required sum to the already-existing mortgage. He was met by a prompt refusal. Mr. Hornby intended to foreclose as speedily as possible the mortgages he already held, and invest his capital in more profitable securities. "Well, then, would he lend the amount at any interest he chose?"

"The usury laws," replied Hornby, with his usual saturnine sneer, "would prevent my acceptance of your obliging offer, even if I had the present means, which I have not. My spare cash happens just now to be temporarily locked up."

Burton, half-crazed with anxiety, went the following day to the Leeds bank with the proffer of a fresh name agreed to be lent him by its owner. Useless "They did not know the party." The applicant mused a few moments, and then said, "Would you discount the note of Mr. James Hornby of Pool?"

“Certainly; with a great deal of pleasure.” Burton hurried away; had his horse instantly saddled, and galloped off to Pool. Hornby was at home.

“You hinted the other day,” said Burton, “that if you had not been short of present means you might have obliged me with the loan I required.”

“Did I?”

“At least I so understood you. I am of course not ignorant, Mr. Hornby, that there is no good blood between us two; but I also know that you are fond of money, and that you are fully aware that I am quite safe for a few hundred pounds. I am come, therefore, to offer you ten pounds *bonus* for your acceptance at one month for two hundred and fifty pounds.”

“What?” exclaimed Hornby with strange vehemence. “What?”

Burton repeated his offer, and Hornby turned away towards the window without speaking.

When he again faced Burton, his countenance wore its usual colour; but the expression of his eyes, the applicant afterwards remembered, was wild and exulting.

“Have you a bill stamp?”

“Yes.”

“Then draw the bill at once, and I will accept it.”

Burton did not require to be twice told. The bill was quickly drawn; Hornby took it to another table

at the further end of the apartment, slowly wrote his name across it, folded, and returned it to Burton, who tendered the ten pounds he had offered, and a written acknowledgment that the bill had been drawn and accepted for his (Burton's) accommodation.

"I don't want your money, Henry Burton," said Hornby, putting back the note and the memorandum. "I am not afraid of losing by this transaction. You do not know me yet."

"A queer stick," thought Burton, as he gained the street; "but Old Nick is seldom so black as he's painted! He was a plaguy while, I thought, signing his name; but I wish I could sign mine to such good purpose."

Burton laid the accepted bill, face downwards, on the bank counter, took a pen, indorsed, and passed it to the managing clerk. The grayheaded man glanced sharply at the signature, and then at Burton, "Why, surely this is not Mr. Hornby's signature? It does not at all resemble it!"

"Not his signature!" exclaimed Burton; "what do you mean by that?"

"Reynolds, look here," continued the clerk, addressing another of the bank *employés*. Reynolds looked, and his immediate glance of surprise and horror at Burton revealed the impression he had formed.

"Please to step this way, Mr. Burton, to a private apartment," said the manager.

“No—no, I won’t,” stammered the unfortunate man, over whose mind a dreadful suspicion had glanced with the suddenness of lightning. “I will go back to Hornby;” and he made a desperate but vain effort to snatch the fatal instrument. Then, pale and staggering with a confused terror and bewilderment, he attempted to rush into the street. He was stopped, with the help of the bystanders, by one of the clerks, who had jumped over the counter for the purpose.

The messenger despatched by the bankers to Hornby returned with an answer that the alleged acceptance was a forgery. It was stated on the part of Mr. Hornby that Mr. Burton had indeed requested him to *lend* two hundred and fifty pounds, but he had refused. The frantic asseverations of poor Burton were of course disregarded, and he was conveyed to jail. An examination took place the next day before the magistrates, and the result was, that the prisoner was fully committed on the then capital charge for trial at the ensuing assize.

It were useless as painful, to dwell upon the consternation and agony which fell upon the dwellers at Grange Farm when the terrible news reached them. A confident belief in the perfect innocence of the prisoner, participated by most persons who knew his character and that of Hornby, and that it would be triumphantly vindicated on

the day of trial, which rapidly approached, alone enabled them to bear up against the blow, and to await with trembling hope the verdict of a jury.

It was at this crisis of the drama that I became an actor in it. I was retained for the defence by my long-known and esteemed friend Symonds, whose zeal for his client, stimulated by strong personal friendship, knew no bounds. The acceptance, he informed me, so little resembled Hornby's handwriting, that if Burton had unfolded the bill when given back to him by the villain, he could hardly have failed to suspect the nature of the diabolical snare set for his life.

In those days, and until Mr., now Sir, Robert Peel's amendment of the criminal law and practice of this country, the acceptor of a bill of exchange, on the principle that he was *interested* in denying the genuineness of the signature, could not, according to the English law of evidence, be called, on the part of the prosecution, to prove the forgery ; and of course, after what had taken place, we did not propose to call Hornby for the defence. The evidence for the crown consisted, therefore, on the day of trial, of the testimony of persons acquainted with Hornby's signature, that the acceptance across the inculpated bill was not in his handwriting. Burton's behaviour at the bank, in endeavouring to repossess himself of the bill by violence, was of course detailed, and told heavily against him.

All the time this testimony was being given, Hornby sat on one of the front seats of the crowded court, exulting in the visible accomplishment of his Satanic device. We could see but little of his face, which, supported on his elbow, was partially concealed by a handkerchief he held in his hand; but I, who narrowly observed him, could occasionally discern flashes from under his pent brows—revelments of the fierce struggle which raged within.

The moment at last arrived for the prisoner, whose eyes had been for some time fixed on Hornby, to speak or read his defence, and a breathless silence pervaded the court.

Burton started at the summons like a man unexpectedly recalled to a sense of an imperious, but for the moment forgotten, duty.

“James Hornby!” he suddenly cried with a voice which rang through the assembly like a trumpet, “stand up, and if you can, face an innocent man”—

Hornby, surprised out of his self-possession, mechanically obeyed the strange order, sprang involuntarily to his feet, let fall the handkerchief that had partially concealed his features, and nervously confronted the prisoner.

“Look at me, I say,” continued Burton with increasing excitement; “and as you hope to escape the terrors of the last judgment, answer truly: did you not, with your own hand, and in my presence, sign that bill?”—

"This cannot be permitted," interrupted the judge.

"If you do not speak," proceeded the prisoner, heedless of the intimation from the bench; "or if you deny the truth, my life, as sure as there is a God in heaven, will be required at your hands. If, in consequence of your devilish plotting, these men consign me to a felon's grave, I shall not be cold in it when you will be calling upon the mountains to fall and cover you from the vengeance of the Judge of heaven and earth! Speak, man—save me: save your own soul from mortal peril whilst there is yet time for mercy and repentance!"

Hornby's expression of surprise and confusion had gradually changed during this appeal to its usual character of dogged impassibility. He turned calmly and appealingly towards the bench.

"You need not answer these wild adjurations, Mr. Hornby," said the judge, as soon as he could make himself heard.

A smile curled the fellow's lip as he bowed deferentially to his lordship, and he sat down without uttering a syllable.

"May the Lord, then, have mercy on my soul!" exclaimed the prisoner solemnly. Then glancing at the bench and jury-box, he added, "And you, my lord and gentlemen, work your will with my body as quickly as you may: I am a lost man!"

The calling of witnesses to character, the opening

of the judge's charge, pointing from its first sentence to a conviction, elicited no further manifestation of feeling from the prisoner: he was as calm as despair.

The judge had been speaking perhaps ten minutes, when a bustle was heard at the hall, as if persons were striving to force their way into the body of the court in spite of the resistance of the officers.

"Who is that disturbing the court?" demanded the judge angrily.

"For the love of Heaven let me pass!" we heard uttered in passionate tones by a female voice. "I must and will see the judge!"

"Who can this be?" I inquired, addressing Mr. Symonds.

"I cannot conceive," he replied; "surely not Mrs. Burton?"

I had kept my eye, as I spoke, upon Hornby, and noticed that he exhibited extraordinary emotion at the sound of the voice, to whomsoever it belonged, and was now endeavouring to force his way through the crowded and anxious auditory.

"My lord," said I, "I have to request on the part of the prisoner that the person desirous of admittance may be heard."

"What has she to say? Or if a material witness, why have you not called her at the proper time?" replied his lordship with some irritation.

"My lord, I do not even now know her name; but in a case involving the life of the prisoner, it is imperative that no chance be neglected"—

"Let the woman pass into the witness-box," interrupted the judge.

The order brought before our eyes a pale, stunted woman, of about fifty years of age, whose excited and by no means unintellectual features, and hurried, earnest manner, seemed to betoken great and unusual feeling.

"As I'm alive, Hornby's deformed housekeeper!" whispered Symonds. "This poor devil's knot will be unravelled yet."

The woman, whose countenance and demeanour, as she gave her evidence, exhibited a serious, almost solemn intelligence, deposed to the following effect:—

"Her name was Mary M'Grath, and she was the daughter of Irish parents, but born and brought up in England. She had been Mr. Hornby's house-keeper, and remembered well the 4th of February last, when Mr. Burton, the prisoner, called at the house. Witness was dusting in an apartment close to her master's business-room, from which it was only separated by a thin wooden partition. The door was partly open, and she could see as well as hear what was going on without being seen herself. She heard the conversation between the prisoner and her master; heard Mr. Hornby agree to sign the paper—

bill she ought to say—for two hundred and fifty pounds; saw him do it, and then deliver it folded up to Mr. Burton.”

A shout of execration burst from the auditory as these words were uttered, and every eye was turned to the spot where Hornby had been seated. He had disappeared during the previous confusion.

“Silence!” exclaimed the judge sternly. “Why, woman,” he added, “have you never spoken of this before?”

“Because, my lord,” replied the witness with downcast looks, and in a low broken voice—“because I am a sinful, wicked creature. When my master, the day after Mr. Burton had been taken up, discovered that I knew his secret, he bribed me with money and great promises of more to silence. I had been nearly all my life, gentlemen, poor and miserable, almost an outcast, and the temptation was too strong for me. He mistrusted me, however—for my mind, he saw, was sore troubled—and he sent me off to London yesterday, to be out of the way till all was over. The coach stopped at Leeds, and, as it was heavy upon me, I thought, especially as it was the blessed Easter-time, that I would step to the chapel. His holy name be praised that I did! The scales seemed to fall from my eyes, and I saw clearer than I had before the terrible wickedness I was committing. I told all to the priest, and he has brought me here to make what amends I can for the sin and

cruelty of which I have been guilty. There—there is all that is left of the wages of crime," she added, throwing a purse of money on the floor of the court; and then bursting into a flood of tears, she exclaimed with passionate earnestness, "for which may the Almighty of his infinite mercy pardon and absolve me!"

"Amen!" responded the deep husky voice of the prisoner, snatched back, as it were, from the very verge of the grave to liberty and life. "Amen, with all my soul!"

The counsel for the crown cross-examined the witness, but his efforts only brought out her evidence in, if possible, a still clearer and more trustworthy light. Not a thought of doubt was entertained by any person in the court, and the jury, with the alacrity of men relieved of a grievous burthen, and without troubling the judge to resume his interrupted charge, returned a verdict of acquittal.

The return of Burton to his home figured as an ovation in the Pool and Otley annals. The greetings which met him on all sides were boisterous and hearty, as English greetings usually are; and it was with some difficulty the rustic constabulary could muster a sufficient force to save Hornby's domicile from sack and destruction. All the windows were, however, smashed, and that the mob felt was something at all events.

Burton profited by the painful ordeal to which he had, primarily through his own thoughtlessness, been exposed, and came in a few years to be regarded as one of the most prosperous yeoman-farmers of Yorkshiro. Mr. Frank Symonds' union with Elizabeth Burton was in due time solemnised : Mr. Wilberforce, the then popular member for the West Riding, I remember hearing, stood sponsor to their eldest born : and Mary M'Grath passed the remainder of her life in the service of the family her testimony had saved from disgrace and ruin.

Mr. James Hornby disappeared from Yorkshire immediately after the trial, and, except through his business agents, was not again heard of till the catastrophe at the Brunswick Theatre, where he perished. He died penitent, after expressing to Mr. Frank Symonds, for whom he had sent, his deep sorrow for the evil deed he had planned, and, but for a merciful interposition, would have accomplished. As a proof of the sincerity of his repentance, he bequeathed the bulk of his property to Mrs. Symonds, the daughter of the man he had pursued with such savage and relentless hate !

## *Experiences of a Barrister.*

---

### THE REFUGEE.

---

THE events which I am about to relate occurred towards the close of the last century, some time before I was called to the bar, and do not therefore in strictness fall within my own experiences as a barrister. Still, as they came to my knowledge with much greater completeness than if I had been only professionally engaged to assist in the catastrophe of the drama through which they are evolved, and, as I conceive, throw a strong light upon the practical working of our criminal jurisprudence, a brief page

of these slight leaves may not inappropriately record them.

About the time I have indicated, a Mrs. Rushton, the widow of a gentleman of commercial opulence, resided in Upper Harley Street, Cavendish Square. She was a woman of "family," and by her marriage had greatly lowered herself, in her relatives' opinion, by a union with a person who, however wealthy and otherwise honourable, was so entirely the architect of his own fortunes—owed all that he possessed so immediately to his own skill, sagacity, and perseverance—that there was an unpleasant rumour abroad about his widowed mother being indebted to her son's success in business for having passed the last ten years of her life in ease and competence. Mr. Rushton had left his widow a handsome annuity, and to his and her only son a well-invested income of upwards of seven thousand a-year. Since the death of her husband, Mrs. Rushton, who inherited quite her full share of family pride, if nothing else, had sought by every method she could devise to re-enter the charmed circle from which her union with a city merchant had excluded her. The most effectual mode of accomplishing her purpose was, she knew, to bring about a marriage between her son and a lady who would not be indisposed to accept of wealth and a well-appointed establishment in Mayfair as a set-off against birth and high connection.

Arthur Rushton, at this time between two and

three-and-twenty years of age, was a mild, retiring, rather shy person, and endowed with a tenderness of disposition, of which the tranquil depths had not as yet been ruffled by the faintest breath of passion. His mother possessed almost unbounded influence over him; and he ever listened with a smile, a languid, half-disdainful one, to her eager speculations upon the numerous eligible matches that would present themselves the instant the “season” and their new establishment in Mayfair—of which the decoration and furnishing engaged all her available time and attention—enabled them to open the campaign with effect. Arthur Rushton and myself had been college companions, and our friendly intimacy continued for several years afterwards. At this period especially we were very cordial and unre-served in our intercourse with each other.

London at this time was crowded with French exiles, escaped from the devouring sword of Robespierre and his helpers in the work of government by the guillotine, almost all of whom claimed to be members of, or closely connected with, the ancient nobility of France. Among these was an elderly gentleman of the name of De Tourville, who, with his daughter Eugénie, had for a considerable time occupied a first floor in King Street, Holborn. Him I never saw in life, but Mademoiselle de Tourville was one of the most accomplished, graceful, enchantingly-interesting persons I have ever seen or known.

There was a dangerous fascination in the pensivo tenderness through which her natural gaiety and archness of manner would at intervals flash, like April sunlight glancing through clouds and showers, which, the first time I saw her, painfully impressed as much as it charmed me—perceiving, as I quickly did, that with her the future peace, I could almost have said life, of Arthur Rushton was irrevocably bound up. The fountains of his heart were for the first time stirred to their inmost depths, and, situated as he and she were, what but disappointment, bitterness, and anguish could well-up from those troubled waters? Mademoiselle de Tourville, I could perceive, was fully aware of the impression she had made upon the sensitive and amiable Englishman ; and I sometimes discovered an expression of pity—of sorrowful tenderness, as it were—pass over her features as some distincer revelation than usual of the nature of Arthur Rushton's emotions flashed upon her. I also heard her express herself several times, as overtly as she could, upon the *impossibility* there existed that she should, however much she might desire it, settle in England, or even remain in it for any considerable length of time. All this I understood, or thought I did, perfectly ; but Rushton, bewildered, entranced by feelings altogether new to him, saw nothing, heard nothing but her presence, and felt, without reasoning upon it, that in that delirious dream it was his fate either to live or else to bear no life. Mrs.

Rushton—and this greatly surprised me—absorbed in her matrimonial and furnishing schemes and projects, saw nothing of what was going on. Probably the notion that her son should for an instant think of allying himself with an obscure, portionless foreigner, was, to a mind like hers, too absurd to be for a moment entertained; or—— But stay: borne along by a crowd of rushing thoughts, I have, I find, somewhat anticipated the regular march of my narrative.

M. and Mademoiselle de Tourville, according to the after-testimony of their landlord Mr. Osborn, had, from the time of their arrival in England, a very constant visitor at their lodgings in King Street. He was a tall French gentleman, of perhaps thirty years of age, and distinguished appearance. His name was La Houssaye. He was very frequently with them indeed, and generally he and M. de Tourville would go out together in the evening, the latter gentleman not returning home till very late. This was more especially the case after Mademoiselle de Tourville ceased to reside with her father.

Among the fashionable articles with which Mrs. Rushton was anxious to surround herself, was a companion of accomplishments and high-breeding, who might help her to rub off the rust she feared to have contracted by her connection with the city. A Parisian lady of high lineage and perfect breeding might, she thought, be easily obtained; and an

advertisement brought Mademoiselle de Tourville to her house. Mrs. Rushton was delighted with the air and manners of the charming applicant; and after a slight inquiry by letter to an address of reference given by the young lady, immediately engaged her, on exceedingly liberal terms, for six months—that being the longest period for which Mademoiselle de Tourville could undertake to remain. She also stipulated for permission to pass the greater part of one day in the week—that which might happen to be most convenient to Mrs. Rushton—with her father. One other condition testified alike to M. de Tourville's present poverty and her own filial piety: it was, that her salary should be paid weekly—she would not accept it in advance—avowedly for her parent's necessities, who, poor exile! and tears stood in Eugénie's dark lustrous eyes as she spoke, was ever trembling on the brink of the grave from an affection of the heart with which he had been long afflicted. Mademoiselle de Tourville, I should state, spoke English exceedingly well as far as the rules of syntax and the meanings of words went, and with an accent charming in its very defectiveness.

She had resided with Mrs. Rushton, who on all occasions treated her with the greatest kindness and consideration, for rather more than two months, when an incident occurred which caused the scales to fall suddenly from the astonished mother's eyes, and in a moment revealed to her the extent of the risk and

mischief she had so heedlessly incurred. The carriage was at the door, and it struck Mrs. Rushton as she was descending the stairs that Mademoiselle de Tourville, who had complained of headache in the morning, would like to take an airing with her. The sound of the harp issuing from the drawing-room, and the faintly-distinguished tones of her voice in some plaintive silver melody, perhaps suggested the invitation ; and thither the mistress of the mansion at once proceeded. The folding-doors of the back drawing-room were partially open when Mrs. Rushton, on kind thoughts intent, entered the front apartment. Mademoiselle de Tourville was seated with her back towards her at the harp, pouring forth with her thrilling and delicious voice a French romaut ; and there, with his head supported on his elbow, which rested on the marble chimney-piece, stood her son, Arthur Rushton, gazing at the apparently-unconscious songstress with a look so full of devoted tenderness —so completely revealing the intensity of passion by which he was possessed—that Mrs. Rushton started with convulsive affright, and could not for several minutes give articulation to the dismay and rage which choked her utterance. Presently, however, her emotions found expression, and a storm of vituperative abuse was showered upon the head of the astonished Eugénie, designated as an artful *intrigante*, a designing pauper, who had insinuated herself into the establishment for the sole purpose of

entrapping Mr. Arthur Rushton—with a great deal more to the same effect. Mademoiselle de Tourville, who had first been too much surprised by the unexpected suddenness of the attack to quite comprehend the intent and direction of the blows, soon recovered her self-possession and hauteur. A smile of contempt curled her beautiful lip, as, taking advantage of a momentary pause in Mrs. Rushton's breathless tirade, she said, "Permit me, madam, to observe that if, as you seem to apprehend, your son has contemplated honouring me by the offer of an alliance with his ancient house"— Her look at this moment glanced upon the dreadfully agitated young man; the expression of disdainful bitterness vanished in an instant from her voice and features; and after a few moments she added, with sad eyes bent upon the floor—"That he could not have made a more unhappy choice—more unfortunate for him, more impossible for me!" She then hastily left the apartment, and before a quarter of an hour elapsed, had left the house in a hackney coach.

The scene which followed between the mother and son was a violent and distressing one. Mr. Rushton, goaded to fury by his mother's attack upon Mademoiselle de Tourville, cast off the habit of deference and submission which he had always worn in her presence, and asserted with vehemence his right to wed with whom he pleased, and declared that no power on earth should prevent him marrying the

lady just driven ignominiously from the house if she could be brought to accept the offer of his hand and fortune. Mrs. Rushton fell into passionate hysterics; and her son, having first summoned her maid, withdrew to ruminate on Mademoiselle de Tourville's concluding sentence, which troubled him far more than what he deemed the injustice of his mother.

When Mrs. Rushton, by the aid of water, pungent essences, and the relief which even an hour of time seldom fails to yield in such cases, had partially recovered her equanimity, she determined, after careful consideration of the best course of action, to consult a solicitor of eminence, well acquainted with her late husband, upon the matter. She had a dim notion that the Alien Act, if it could be put in motion, might rid her of Mademoiselle de Tourville and her friends. Thus resolving, and ever scrupulous as to appearances, she carefully smoothed her ruffled plumage, changed her disordered dress, and directed the carriage, which had been dismissed, to be again brought round to the door. "Mary," she added a few moments afterwards, "bring me my jewel-case—the small one: you will find it in Made—in that French person's dressing-room."

Mary Austin reappeared in answer to the violent ringing of her impatient lady's bell, and stated that the jewel-case could nowhere be found in Mademoiselle's dressing-room. "Her clothes, everything belonging to her, had been taken out of the ward-

robe, and carried away, and perhaps that also, in mistake no doubt."

"Nonsense, woman!" replied Mrs. Rushton. "I left it not long ago on her toilet-glass. I intended to show her a purchase I had made, and not finding her, left it as I tell you."

Another search was made with the same ill success. Mary Austin afterwards said that when she returned to her mistress the second time, to say that the jewel-case was certainly gone, an expression of satisfaction instead of anger, it seemed to her, glanced across Mrs. Rushton's face, who immediately left the room, and in a few minutes afterwards was driven off in the carriage.

About an hour after her departure I called in Harley Street for Arthur Rushton, with whom I had engaged to go this evening to the theatre to witness Mrs. Siddons' *Lady Macbeth*, which neither of us had yet seen. I found him in a state of calmed excitement, if I may so express myself; and after listening with much interest to the minute account he gave me of what had passed, I, young and inexperienced as I was in such affairs, took upon myself to suggest that, as the lady he nothing doubted was as irreproachable in character as she was confessedly charming and attractive in person and manners, and as he was unquestionably his own master, Mrs. Rushton's opposition was not likely of being of long continuance; and that as to Mademoiselle de Tourville's

somewhat discouraging expression, such sentences from the lips of ladies—

“That would be woed,—and not unsought be won”—were seldom, if ever, I had understood, to be taken in a literal and positive sense. Under this mild and soothing treatment Mr. Rushton gradually threw off a portion of the load that oppressed him, and we set off in tolerably cheerful mood for the theatre.

Mrs. Siddons’ magnificent and appalling impersonation over, we left the house; he, melancholy and sombre as I had found him in Harley Street, and I in by no means a gay or laughing mood. We parted at my door, and whether it was the effect of the tragedy, so wonderfully realized in its chief creation, or whether coming events *do* sometimes cast their shadows before, I cannot say, but I know that an hour after Rushton’s departure I was still sitting alone, my brain throbbing with excitement, and so nervous and impressionable, that a sudden vehement knocking at the street entrance caused me to spring up from my chair with a terrified start, and before I could master the impulsive emotion, the room-door was thrown furiously open, and in reeled Arthur Rushton—pale, haggard, wild—his eyes ablaze with horror and affright! Had the ghost of Duncan suddenly gleamed out of the viewless air I could not have been more startled—awed!

“She is dead!—poisoned!” he shrieked with maniacal fury; “killed!—murdered!—and by *her*!”

I gasped for breath, and could hardly articulate—  
“What! whom?”

“My mother!” he shouted with the same furious vehemence—“Killed! by *her*! Oh, horror!—horror!—horror!” and exhausted by the violence of his emotions, the unfortunate gentleman staggered, shuddered violently, as if shaken by an ague fit, and fell heavily—for I was too confounded to yield him timely aid—on the floor.

As soon as I could rally my scattered senses, I caused medical aid to be summoned, and got him to bed. Blood was freely taken from both arms, and he gradually recovered consciousness. Leaving him in kind and careful hands, I hurried off to ascertain what possible foundation there could be for the terrible tidings so strangely announced.

I found the establishment in Harley Street in a state of the wildest confusion and dismay. Mrs. Rushton *was* dead; that, at all events, was no figment of sudden insanity, and incredible, impossible rumours were flying from mouth to mouth with bewildering rapidity and incoherence. The name of Mademoiselle de Tourville was repeated in every variety of abhorrent emphasis; but it was not till I obtained an interview with Mrs. Rushton’s solicitor that I could understand what really had occurred, or, to speak more properly, what was suspected. Mrs. Rushton had made a deposition, of which Mr. Twyte related to me the essential points. The deceased

lady had gone out in her carriage with the express intention of calling on him, the solicitor, to ascertain if it would be possible to apply the Alien Act to Mademoiselle de Tourville and her father, in order to get them sent out of the country. Mr. Twyte did not happen to be at home, and Mrs. Rushton immediately drove to the De Tourvilles' lodgings in King Street, Holborn, with the design, she admitted, of availing herself of what she was in her own mind satisfied was the purely accidental taking away of a jewel-case, to terrify Mademoiselle de Tourville, by the threat of a criminal charge, into leaving the country, or at least to bind herself not to admit, under any circumstances, of Mr. Arthur Rushton's addresses. She found Eugénie in a state of extraordinary, and it seemed painful excitement; and the young lady intreated that whatever Mrs. Rushton had to say should be reserved for another opportunity, when she would calmly consider whatever Mrs. Rushton had to urge. The unfortunate lady became somewhat irritated at Mademoiselle de Tourville's obstinacy, and the unruffled contempt with which she treated the charge of robbery, even after finding the missing jewel-case in a band-box, into which it had been thrust with some brushes and other articles in the hurry of leaving. Mrs. Rushton was iterating her threats in a loud tone of voice, and moved towards the bell to direct, she said, the landlord to send for a constable, but with no intention whatever of doing

so, when Mademoiselle de Tourville caught her suddenly by the arm, and bade her step into the next room. Mrs. Rushton mechanically obeyed, and was led in silence to the side of a bed, of which Eugénie suddenly drew the curtain, and displayed to her, with a significant and reproachful gesture, the pale, rigid countenance of her father's corpse, who had, it appears, suddenly expired. The shock was terrible. Mrs. Rushton staggered back into the sitting-room, sick and faint, sank into a chair, and presently asked for a glass of wine. "We have no wine," replied Mademoiselle de Tourville; "but there is a cordial in the next room which may be better for you." She was absent about a minute, and on returning, presented Mrs. Rushton with a large wine-glassful of liquid, which the deceased lady eagerly swallowed. The taste was strange, but not unpleasant; and instantly afterwards Mrs. Rushton left the house. When the carriage reached Harley Street, she was found to be in a state of great prostration: powerful stimulants were administered, but her life was beyond the reach of medicine. She survived just long enough to depose to the foregoing particulars; upon which statement Mademoiselle de Tourville had been arrested, and was now in custody.

"You seem to have been very precipitate," I exclaimed as soon as the solicitor had ceased speaking: "there appears to be as yet no proof that the deceased lady died of other than natural causes."

“ You are mistaken,” rejoined Mr. Twyte. “ There is no doubt on the subject in the minds of the medical gentlemen, although the *post-mortem* examination has not yet taken place. And, as if to put aside all doubt, the bottle from which this Eugénie de Tourville admits she took the cordial proves to contain distilled laurel-water, a deadly poison, curiously coloured and flavoured.”

Greatly perturbed, shocked, astonished as I was, my mind refused to admit, even for a moment, the probability, hardly the possibility, of Eugénie de Tourville’s guilt. The reckless malignancy of spirit evinced by so atrocious an act dwelt not, I was sure, within that beauteous temple. The motives alleged to have actuated her—fear of a criminal charge, admitted to be absurd, and desire to rid herself of an obstacle to her marriage with Arthur Rushton—seemed to me altogether strained and inapplicable. The desperation of unreasoning hate could alone have prompted such a deed ; for detection was inevitable, had, in truth, been courted rather than attempted to be avoided.

My reasoning made no change in the conclusions of Mr. Twyte the attorney for the prosecution, and I hastened home to administer such consolation to Arthur Rushton as might consist in the assurance of my firm conviction that his beloved mother’s life had not been wilfully taken away by Eugénie de Tourville. I found him still painfully agitated ; and the

medical attendant told me it was feared by Dr. —— that brain fever would supervene if the utmost care was not taken to keep him as quiet and composed as, under the circumstances, was possible. I was, however, permitted a few minutes conversation with him; and my reasoning, or, more correctly, my confidently-expressed belief—for his mind seemed incapable of following my argument, which it indeed grasped faintly at, but slipped from, as it were, in an instant—appeared to relieve him wonderfully. I also promised him that no legal or pecuniary assistance should be wanting in the endeavour to clear Mademoiselle de Tourville of the dreadful imputation preferred against her. I then left him. The anticipation of the physician was unfortunately realised: the next morning he was in a raging fever, and his life, I was informed, was in very imminent danger.

It was a distracting time; but I determinedly, and with much self-effort, kept down the nervous agitation which might have otherwise rendered me incapable of fulfilling the duties I had undertaken to perform. By eleven o'clock in the forenoon I had secured the active and zealous services of Mr. White, one of the most celebrated of the criminal attorneys of that day. By application in the proper quarter, we obtained immediate access to the prisoner, who was temporarily confined in a separate room in the Red-Lion Square Lock-up House. Mademoiselle de Tourville, although exceedingly pale, agitated, and

nervous, still looked as lustrously pure, as radiantly innocent of evil thought or deed, as on the day that I first beheld her. The practised eye of the attorney scanned her closely. “As innocent of this charge,” he whispered, “as you or I.” I tendered my services to the unfortunate young lady with an earnestness of manner which testified more than any words could have done how entirely my thoughts acquitted her of offence. Her looks thanked me; and when I hinted at the promise exacted of me by Arthur Rushton, a bright blush for an instant mantled the pale marble of her cheeks and forehead, indicating with the tears, which suddenly filled and trembled in her beautiful eyes, a higher sentiment, I thought, than mere gratitude. She gave us her unreserved confidence; by which, after careful sifting, we obtained only the following by no means entirely satisfactory results :—

Mademoiselle de Tourville and her father had escaped from the Terrorists of France by the aid of, and in company with, the Chevalier la Houssaye, with whom M. de Tourville had previously had but very slight acquaintance. The chevalier soon professed a violent admiration for Eugénie: and having contrived to lay M. de Tourville under heavy pecuniary obligations at play—many of them Mademoiselle de Tourville had only very lately discovered—prevailed upon his debtor to exert his influence with his daughter to accept La Houssaye’s hand in marriage. After much

resistance, Mademoiselle de Tourville, overcome by the commands, intreaties, prayers of her father, consented, but only on condition that the marriage should not take place till their return to France, which it was thought need not be very long delayed, and that no more money obligations should in the meantime be incurred by her father. La Houssaye vehemently objected to delay; but finding Eugénie inexorable, sullenly acquiesced. It was precisely at this time that the engagement with Mrs. Rushton was accepted. On the previous afternoon Mademoiselle de Tourville, on leaving Harley Street after the scene with the deceased lady, went directly home, and there found both her father and the chevalier in hot contention and excitement. As soon as La Houssaye saw her, he seized his hat, and rushed out of the apartment and house. Her father, who was greatly excited, had barely time to say that he had fortunately discovered the chevalier to be a married man, whose wife, a woman of property, was still living in Languedoc, when what had always been predicted would follow any unusual agitation happened: M. de Tourville suddenly placed his hand on his side, uttered a broken exclamation, fell into a chair, and expired. It was about two hours after this melancholy event that Mrs. Rushton arrived. The account before given of the interview which followed was substantially confirmed by Mademoiselle de Tourville who added, that the cordial she had

given Mrs. Rushton was one her father was in the constant habit of taking when in the slightest degree excited, and that she was about to give him some when he suddenly fell dead.

We had no doubt, none whatever, that this was the whole, literal truth, as far as the knowledge of Mademoiselle de Tourville extended; but how could we impart that impression to an Old Bailey jury of those days, deprived as we should be of the aid of counsel to address the jury, when in reality a speech, pointing to the improbabilities arising from character, and the altogether *unguilty-like* mode of administering the fatal liquid, was the only possible defence? Cross-examination promised nothing; for the evidence would consist of the dying deposition of Mrs. Rushton, the finding of the laurel-water, and the medical testimony as to the cause of death. The only person upon whom suspicion glanced was La Houssaye, and that in a vague and indistinct manner. Still, it was necessary to find him without delay, and Mr. White at once sought him at his lodgings, of which Mademoiselle de Tourville furnished the address. He had left the house suddenly with all his luggage early in the morning, and our efforts to trace him proved fruitless. In the meantime the *post-mortem* examination of the body had taken place, and a verdict of wilful murder against Eugénie de Tourville been unhesitatingly returned. She was soon afterwards committed to Newgate for trial.

The Old Bailey session was close at hand, and Arthur Rushton, though immediate danger was over, was still in too delicate and precarious a state to be informed of the true position of affairs when the final day of trial arrived. The case had excited little public attention. It was not the fashion in those days to exaggerate the details of crime, and, *especially before trial*, give the wings of the morning to every fact or fiction that rumour with her busy tongue obscurely whispered. Twenty lines of the "Times" would contain the published record of the commitment of Eugénie de Tourville for poisoning her mistress, Caroline Rushton; and, alas! spite of the crippled but earnest efforts of the eminent counsel we had retained, and the eloquent innocence of her appearance and demeanour, her conviction and condemnation to death without hope of mercy! My brain swam as the measured tones of the Recorder, commanding the almost immediate and violent destruction of that beauteous master-piece of God, fell upon my ear; and had not Mr. White, who saw how greatly I was affected, fairly dragged me out of court into the open air, I should have fainted. I scarcely remember how I got home—in a coach I believe; but face Rushton after that dreadful scene with a kindly-meant deception—*lie*—in my mouth, I could not, had a king's crown been the reward. I retired to my chamber, and on the plea of indisposition directed that I should on no account be

disturbed. Night had fallen, and it was growing somewhat late, when I was startled out of the painful reverie in which I was still absorbed by the sudden pulling up of a furiously-driven coach, followed by a thundering summons at the door, similar to that which aroused me on the evening of Mrs. Rushton's death. I seized my hat, rushed down stairs, and opened the door, It was Mr. White!

“Well!—well?” I ejaculated.

“Quick—quick!” he exclaimed in reply. “La Houssaye—he is found—has sent for us—quick! for life—life is on our speed!”

I was in the vehicle in an instant. In less than ten minutes we had reached our destination—a house in Duke Street, Manchester Square.

“He is still alive,” replied a young man in answer to Mr. White's hurried inquiry. We rapidly ascended the stairs, and in the front apartment of the first floor beheld one of the saddest, mournfullest spectacles which the world can offer—a fine, athletic man, still in the bloom of natural health and vigour, and whose pale features, but for the tracings there of fierce, ungoverned passions, were strikingly handsome and intellectual, stretched by his own act upon the bed of death! It was La Houssaye! Two gentlemen were with him—one a surgeon, and the other evidently a clergyman, and, as I subsequently found, a magistrate, who had been sent for by the surgeon. A faint smile gleamed over the face of the dying man

as we entered, and he motioned feebly to a sheet of paper, which, closely written upon, was lying upon a table placed near the sofa upon which the unhappy suicide was reclining. Mr. White snatched, and eagerly perused it. I could see by the vivid lighting up of his keen gray eye that it was, in his opinion, satisfactory and sufficient.

“This,” said Mr. White, “is your solemn deposition, knowing yourself to be dying?”

“Yes, yes,” murmured La Houssaye; “the truth—the truth.”

“The declaration of a man,” said the clergyman with some asperity of tone, “who defyingly, unrepentingly, rushes into the presence of his Creator, can be of little value!”

“Ha!” said the dying man, rousing himself by a strong effort; “I repent—yes—yes—I repent! I believe—do you hear?—and repent—believe. Put that down,” he added, in tones momently feebler and more husky, as he pointed to the paper; “put that down, or—or perhaps—Eu—génie—perhaps”—

As he spoke, the faint light that had momently kindled his glazing eye was suddenly quenched; he remained for perhaps half a minute raised on his elbow, and with his outstretched finger pointing towards the paper, gazing blindly upon vacancy. Then the arm dropped, and he fell back dead!

We escaped as quickly as we could from this fearful death-room, and I found that the deposition

which Mr. White brought away with him gave a full, detailed account, written in the French language, of the circumstances which led to the death of Mrs. Rushton.

La Houssaye, finding that M. de Tourville had by some means discovered the secret of his previous marriage, and that consequently all hope of obtaining the hand of Eugénie, whom he loved with all the passion of his fiery nature, would be gone unless De Tourville could be prevented from communicating with his daughter, resolved to compass the old man's instant destruction. The chevalier persuaded himself that, as he should manage it, death would be attributed to the affection of the heart, from which M. de Tourville had so long suffered. He procured the distilled laurel-water—how and from whom was minutely explained—coloured, flavoured it to resemble as nearly as possible the cordial which he knew M. de Tourville—and he only—was in the habit of frequently taking. A precisely-similar bottle he also procured—the shop at which it was purchased was described—and when he called in King Street, he found no difficulty, in an unobserved moment, of substituting one bottle for the other. That containing the real cordial he was still in possession of, and it would be found in his valise. The unexpected arrival of Mademoiselle de Tourville frustrated his design, and he rushed in fury and dismay from the house. A few hours afterwards, he heard of the

sudden death of M. de Tourville, and attributing it to his having taken a portion of the simulated cordial, he, La Houssaye, fearful of consequences, hastily and secretly changed his abode. He had subsequently kept silence till the conviction of Eugénie left him no other alternative, if he would not see her perish on the scaffold, than a full and unreserved confession. This done—Eugénie saved, but lost to him—he had nothing more to live for in the world, and should leave it.

This was the essence of the document ; and all the parts of it which were capable of corroborative proof having been substantiated, a free pardon issued from the crown—the technical mode of quashing an unjust criminal verdict—and Mademoiselle de Tourville was restored to liberty.

She did not return to France. Something more perhaps than a year after the demonstration of her innocence, she was married to Arthur Rushton in the Sardinian Catholic Chapel, London, the bridegroom having by her influence been induced to embrace the faith of Rome. The establishments in Harley Street and Mayfair were broken up ; and the newly-espoused pair settled in the county Galway, Ireland, where Mr. Rushton made extensive landed purchases. They have lived very happily a long life, have been blessed with a large and amiable family, and are now—for they are both yet alive—surrounded with grand children innumerable.

## Experiences of a Barrister.

---

### THE STEP-FATHER.

---

AT about sundown in the early summer of 18—, I and Samuel Ferret sat down in my chambers with a Mr. and Mrs. Lumsden, to a consultation anent the weighty matters set forth by that astute attorney, with as much perspicuity as the lights afforded him admitted of, in the heavily marked brief lying before us, in *re* The King *versus* Martin Salacete Conyers; and the dawn of a new day, faintly colouring the delicate tracery of prescriptive cobwebs that festooned the windows, found us still engaged in vain

efforts to disentangle the very ugly legal meshes wherein the said Martin Salacete Conyers, Mrs. Lumsden's son by a former marriage, was involved, and whereon shone no cheering light either from the night-lamp, at which we had been so long comparing notes, conjectures, suspicions, all alike dim, shadowy, inchoate, or the new risen sun which, indeed, but the more vividly revealed to us each other's perplexed visages.

"Well, madam, well, gentlemen," suddenly exclaimed Mr. Ferret, who had been for some time fidgeting to be gone, and jumping briskly up, as he exploded, from his chair, "Well, madam, well, gentlemen, it really appears to me that if we were to remain here all day, in addition to all night, we should not be one whit the wiser in respect of this confounding business than we were last evening: the likelier rather, in my humble opinion, to miss the true clue to the heart of the mystery—if a true clue and a real mystery there be—for though a million of words would not butter one parsnip, they help wonderfully to darken counsel. I, for my part," he added, yawning, shaking, and stretching himself, "feel just as I suppose I should if I had been standing on my head for two or three hours."

"And do you also think, sir," said Mr. Lumsden, as his wife, with trembling fingers, gathered up a number of letters addressed to her by her son, which, if implicit faith might be placed in them, were

decisive of the writer's innocence, "do you also think there is no hope for this unfortunate victim of circumstances?"

The prompt reply which would have been given to the gentleman was checked upon my tongue by his afflicted lady's piteous, beseeching look, and whilst I hesitated, Mr. Ferret, whose temper the wearisome and apparently endless conference had somewhat soured, broke sharply in with:—

"One could not be a victim, permit me to say, Mr. Lumsden, to anything worse, more damnable, than circumstances. You can neither bribe, bully, suborn, nor outwit circumstances, and their 'victims' it has fallen in my way to notice are either cursed fools, or—he—em. But I really must be gone. I will see you again, sir, in the course of the day. Good morning! You will please to observe," added Mr. Ferret, pausing with the door in his hand, "you will please to observe that I do not at all despair of pulling Mr. Conyers through—very far from that. I merely say, as I have before said to you, madam, that all the tears in the world won't help us, and that you had better leave the matter entirely in the hands of your present attorney and counsel, or, I say it with all respect, but plainly, transfer the management of the case to others in whom you can place confidence."

"It was not from lack of confidence in either yourself or Mr. Ferret," remarked Mr. Lumsden, in his best and blandest manner, as the irate attorney dis-

appeared, slamming the door smartly after him, “that made me desirous of being present at this consultation. No, sir: it was the restless, feverish disquietude, forbidding repose of either the mind or the body of an anxious mother that—”

“Say no more, sir, pray,” I interrupted, “your motives are rightly appreciated—You are ill, Mrs. Lumsden,” I added, breaking suddenly off, and catching the lady’s arm just in time to prevent her falling on the floor. “This harassing conference has been too much for her,” I went on to say, after we had laid her in a fainting state upon a sofa, “and it will be well to send for the apothecary over the way.”

I did so, and proper restoratives having been applied, the much agitated lady left with her husband.

Within half an hour of the rising of the Court of King’s Bench that afternoon, Mr. Ferret and I were again in anxious, and this time unfettered consultation, in the matter of *Rex versus Martin Salacete Conyers*. It proved as sterile as the preceding one.

“The fact appears to be,” said Mr. Ferret, testily—with vexed, angry testiness—“the fact appears to be that there is nothing to discover. The frank, open, handsome countenance of young Conyers, and the diabolic phiz of Benjamin Marks are liars, both of them. The young Christian is a vulgar thief; and the old Jew a truthful, virtuous Israelite! I can see my way to no other verdict, and yet I am morally sure that would be a mistaken one!”

“The proveable facts lying,” I remarked, “on the surface, point but to one conclusion; and not having seen Conyers, my judgment is not biassed or disturbed by the very fallacious evidence to character, furnished, you say, by his countenance—”

“Countenance, air, manners, speech,” interrupted Mr. Ferret. “Good Lord, what an out-and-out skilful counterfeit he must be, if he *is* a counterfeit!”

“Well, but what probable or possible motive can you suggest, that could induce Marks to prefer such an accusation, if it be a false accusation? I can see plainly enough, that some vague but inveterate suspicion of somebody—perhaps I could once in three guesses name that somebody—lurks uneasily in Mr. Ferret’s mind; and that suspicion might become mine could I perceive that he had any conceivable interest to serve by compassing the ruin of Conyers.”

“That *he* had any conceivable interest to serve,” replied Ferret. “It is not a female then, that you suspect, or, craving pardon, that you might, certain conditions given, suspect. You are right there, unquestionably. There is no girl or woman concerned in the affair, except the poor fellow’s mother: a handsome, singularly interesting woman, according to my poor judgment,” added the attorney.

“Very much so; and Lumsden seems greatly attached to her.”

“Hem! Why yes—*seems*. Who is it says he puts no faith in ‘seems,’ or actions which a man might

play: something to that effect, I remember. But, as you say, Mr. Lumsden does *seem* much attached to his wife—superabundantly seems so; is utterly careless of costs in this perplexing business; came out magnificently for that muddling consultation last night: told me two hours ago that he would sacrifice his last shilling to save his wife's son—solely for her sake it must be, since Conyers he has never seen—to save his wife's son from the dreadful doom with which he is menaced. He imagines, I suppose, that if his step-son is convicted, he will be hanged; though therein, I think, Mr. Lumsden reckons without his host."

"Reckons without his host! Come, come, Mr. Ferret; that is a little too bad."

"I know it is too bad," exclaimed Mr. Ferret, with strange vehemence. "Much too bad: scandalously bad; and yet, for this life of mine, I cannot away with the thought which prompted that scandalous expression. Curious, however, is it not?" he added, in his usual dry, matter-of-fact tone, "that this immense consideration of Mr. Lumsden for his wife should have been born as it were of this unhappy business; his previous behaviour having been, I find, anything but kind or considerate towards 'the beloved partner of my life,' as he styles her in that note to me. D—— him," broke out Mr. Ferret again with savage emphasis: "I do believe he is an infernal humbug!"

"Really, now, Mr. Ferret, this is absurd. Once

more, can you suggest any, the slightest cause for the deadly enmity, which it is plain you believe, or imagine, Mr. Lumsden feels towards Conyers—a person whom he has never seen—of whom he has nothing to gain, or fear?"

"All true; all admitted. Lumsden himself is rich: his wife has not a penny to will or otherwise dispose of. The estate of young Conyers—being his palette and pencil—goes with him: he has nothing, inherits nothing, even prospectively: I cannot, I repeat, make it out—fathom it—but for all that—"

My clerk here looked in to announce that another attorney was in waiting, and Mr. Ferret presently went his way.

Mr. Ferret's surmises or suspicions will be scarcely rendered more intelligible to the reader by the recital of the substantial facts set forth in the liberally-endorsed brief before mentioned, which facts, however, it will be well to at once state.

Mrs. Conyers, the widow of an officer in the Inland Revenue department, had, by the charms and graces of her person and manner, won the heart, or, at all events, obtained the hand of Joshua Lumsden, Esquire, a rich bachelor, of little more than her own age, then residing in Bedford Square, and, since his marriage, in Portland Place. Her son, Martin Salacete Conyers, an artist, was studying in Italy at the time, and it appeared was not well pleased with his mother for taking a second husband

so soon—about fifteen months—after the decease of his father. This disapprobation did not, we were informed, extend to the second husband, Mr. Lumsden, in a personal sense; was moreover very mildly expressed, and showed itself principally in the brevity and infrequency of the young man's letters to his mother; and on his return to England, about eighteen months subsequently, by his refusal to visit at Portland Place, where he only once presented himself to embrace his mother, at which time, as it chanced, Mr. Lumsden was not at home. It might be also that young Conyers, with the instinctive perception in such a case of a son, discerned that his mother was not happy in her second choice and fine home—I, myself, though I had not deemed it expedient to own so much to Mr. Ferret, had noticed during our night conference, through all her nervous, hysterical excitement, the strongly impressed lines, when her face was momently in repose, of a deep-graven, subdued sadness, of anterior date to the terrible calamity which had now fallen upon her,—and he might be the more unwilling therefore to cultivate the acquaintance of her husband, and thereby place himself in the way of witnessing a sorrow which was remediless, or, at all events, which he could neither relieve nor lighten.

Confident, like all youthful poets and painters, in the power of his genius to hew him out, through whatever granitic obstacles might oppose themselves, a short

and swift road to fame and fortune, young Conyers set himself valiantly to the task of achieving greatness for himself and by himself; painting away with untiring industry for some eight or nine months; by which time his dreams had become much less rose-coloured, when he did dream, which was not so often as he once did. His pet picture, a scene from *Cymbeline*, that has been since engraved, and the reader may perhaps have seen, was refused admission by the Royal Academy, and he was fain to sell it to a dealer in Wardour Street, Soho, for ten pounds! Darker and darker lowered the clouds of fate, and louder, nearer, rolled the thunder—those thunder mutterings which the sensitive and fearful ear of disenchanted, unfriended genius, surely detects, whilst yet his sun, though doomed to go down in the morning, still glimmers with pale fitful light above the horizon—and presently he had nothing left but his watch and one or two less valuable trinkets wherewith to stave off hungry want for the few days those superfluities might suffice to do so. In that dire extremity pride partially loosened his strong grasp of the despairing painter's soul, and Conyers wended his slow reluctant way to Portland Place, with the half formed intention of asking assistance from his mother, which, in fact, he could not conceal from himself—and this was the serpent-sting —was to ask alms of her husband—of her tyrant husband, as he believed or feared. He went so near to the door as to see that it was besieged by

carriages setting down gay company at the wealthy Mr. Lumsden's mansion; and he turned back, one can easily understand, with augmented bitterness of spirit, towards his own obscure, hopeless home! Determining to ride out the storm by his own unaided powers, or, if it must be so, perish therein undegraded, as in that cankered state of mind he deemed it, by one cry for help, Conyers, for the first time in his life, entered a pawnbroker's shop, and offered his watch in pledge for as much as they would lend him upon it;—an unusual mode of pawning, since it was noticed at the time, and afterwards observed upon by the shopman, who, moreover, knew something of the applicant and his pursuits and connections. As Conyers was leaving the shop with the money which he had obtained upon the watch, he observed a Jew, one Benjamin Marks, to whom he had sold some pictures, standing on the opposite side of the street; and although he could have sworn that their eyes met recognisingly, the next moment Marks appeared not to have seen him—so abstracted, objectless was the man's look, as he crossed over and passed down the street, brushing close by Conyers, without speaking to, or, as it seemed, perceiving him. A day or two afterwards, the Jew called in Newman Street to ask if the artist had anything in his way to dispose of, and in reply to Conyers said he did not remember to have met with or seen him during the past week. After this, Marks' visits were frequent, and he finally procured Conyers an

order to copy a number of valuable paintings, in the possession of a large picture dealer, for which he was to be paid one hundred guineas, Marks himself only charging his much admired friend the artist five per cent. commission upon the gross amount. Conyers set resolutely to work, and had about half accomplished the task before the proceeds of his watch and some other articles were exhausted, when he took the liberty of asking Mr. Lewis Lawrence for a cheque on account. To his surprise and mortification that person bluntly refused to pay one farthing till the work was finished, and in support of his refusal, referred to the terms of the written contract, which certainly bore him out in that refusal, though in the flurry of concluding the agreement, Conyers had not, it seemed, heeded the stipulation. What was to be done? how was he to exist for the next five or six weeks? was the instant and anxious self-questioning of Conyers, and very remarkably, very fatally, as it proved, Benjamin Marks presented himself in the very nick of time with an answer! The after occurrences thus fell out. Conyers who worked at the pictures at Mr. Lawrence's private residence, Stoke Newington, had repeatedly met Marks when returning therefrom to his own home, and with the easy, almost contemptuous indifference to the social status of chance-companions frequently noticed in artists and men of letters, a failing, if it be one, traceable, perhaps, to their own lofty opinion of themselves, looked upon from which sublime height,

Bagges the banker, and Tape the tally-man, are upon about the same dwarfish level—had now and then passed an hour with him in social fellowship at a tavern. He did so upon meeting with him after receiving the exasperating rebuff from Mr. Lawrence; and as Marks was unusually free and merry, Conyers very angry and heated, the glass circulated rapidly; and excited by its genial influence, the painter confided to his patron, as in a certain sense Marks might be called, the distressing position in which he found himself placed. Benjamin Marks was all indignant sympathy; could not have believed—would not then, if any other than his highly talented and esteemed friend, Mr. Conyers, had told him so—that Lawrence would have held so rigidly to the letter of his bond. And how was the mischance to be remedied? Lawrence, having once refused, it would be, Marks observed, easier to walk off with St. Paul's, as Samson did with the gates of Gaza, than to shake his determination! He, himself, unfortunately had no spare money just then; nor money's worth—"although—although—" added Mr. Marks, hesitatingly, as if fearful of too hastily committing himself, and looking as he finished his tumbler, keenly in the somewhat flustered eyes of his highly-talented and esteemed friend—"Although—How long will it be, Mr. Conyers, before the pictures are finished?"

"How long? Five or six weeks."

"Certainly in two months?"

"Beyond doubt, if I live so long."

"If you live so long," echoed Marks musingly:— He, by-the-by, Ferret remarked, was a fairly-educated English Jew, and spoke consequently the English tongue correctly enough. "If you live so long! To be sure that risk is on the cards; though but a slight one. I shall venture notwithstanding. Look you, Mr. Conyers; this is how we will manage it. I sell jewellery sometimes for a large house on commission. I shall say to-morrow morning that I know a gentleman who wants a diamond ring, at, about fifteen pounds value, first hand price. I could not go to a larger figure than that at two months' credit. I bring it to you, you give me your note of hand at that date, which I pay to my principal; and you, anywhere, borrow ten pounds, perhaps more upon it."

Conyers laughed, detecting as he thought he did, a design on Marks' part to make a profit of his highly talented and esteemed friend's necessities: not a very exorbitant profit; for in sooth, Marks was the most reasonable Jew he had ever heard of, as witness his contentment with a bare five per cent. commission upon the hundred guineas he had helped him, Conyers, to! Besides, it was a mode of borrowing less offensive to the artist's pride than a direct loan would have been, and after a little shilly-shallying, the arrangement was concluded, and an appointment made for the next afternoon at the Red Cow, Dalston,

where the painter's note of hand was to be exchanged for the Jew's diamond ring.

Four o'clock Conyers understood to be the time agreed upon, and within a few minutes of that hour he arrived at the Red Cow, where he found Marks asleep, or apparently so, in the garden ; muddled with drink too he seemed, and exceedingly fractious upon being awakened ; complained that he had been kept waiting since two o'clock ; but ultimately calmed down, and unlocking a small portable desk, displayed a number of costly rings and other articles of jewellery. The ring he advised Conyers to purchase was a rose diamond, not the tenth part of the worth, he said, of a splendidly set brilliant which the painter greatly admired, but was nevertheless dirt cheap at fifteen pounds. The affair was quickly despatched. Conyers gave his note of hand, Marks the ring and a verbal undertaking to take it back, if required to do so, for two pounds less than he had sold it for. Brandy and water and cigars were ordered, Conyers, as was his frequent habit under such circumstancess, sank into a profound reverie, Marks into a profound slumber ; and the Jew still slept and snored when Conyers roused himself to depart. He shook Marks smartly by the collar, but failing to elicit more than an angry growl, left him to his repose, and went hastily away ; the coming on of evening warning him that he had no time to spare, having faithfully promised his landlord to square accounts with him before

he slept. He *had* no time to spare, for the place was being closed, when Conyers passed furtively into the shop where he had pledged his watch, and handing the ring, wrapped in paper as he had received it from Marks, to the shopman—who was also the proprietor of the establishment, and, as before intimated, had some personal knowledge of Mr. Conyers, though that gentleman was unaware of it—asked for as large a loan as possible thereon. The pawnbroker examined the ring closely, and disappeared for a few minutes to consult the judgment of another as to its value: He had just returned when a gentleman with whom Martin Conyers was slightly acquainted, entered the shop to inquire the price of an article in the window: Conyers was naturally much confused by the ren-contre in such a place; which the friendly, or sympathising pawnbroker observing, said with prompt good nature, “Your parcel will be made up for you, Mr. Conyers, immediately, and should the articles not suit you, we will take them back.” Conyers thanked him; presently received the said parcel, hurried home and found he had been lent fifty pounds upon a trinket for which he had covenanted to pay a Jew fifteen at the end of two months! There must, he felt, be some mistake, and he immediately went back to ask the pawnbroker for an explanation; but finding the premises closed, necessarily deferred his inquiry till the next day.

In the meantime Marks had awoke in the garden

arbour at the Red Cow, and after inquiring for his vanished friend went home, where he discovered that whilst he slept, his box had been opened, no doubt with the key taken from his own pocket, and a diamond ring worth a hundred guineas, that which Conyers had so much admired, stolen therefrom! Recalling to mind that eager admiration, and coupling it with the fact that he had fallen asleep in Conyers' presence, and Conyers' presence only, he could not avoid the conclusion that the artist was the robber, and forthwith set off in a cab with a brother Israelite for Newman Street, found Conyers at home, and with fierce outcries, which brought the landlord and others into the apartment, demanded the ring stolen from him whilst he slept!

Conyers was indignant, furious; denied possession of any other ring than that which he had honestly purchased, and the storm of words terminated by the calling in of a police officer, and consequent discovery that Conyers had obtained fifty pounds upon a ring subsequently proved to be that which Marks had been, as he alleged, robbed of; and which, till it was produced before the magistrate by the pawnbroker, the artist persisted was that which he had purchased of the Jew.

This was the substance of the two versions of the affair, given by Martin Conyers and Benjamin Marks, and minutely detailed in the brief by Samuel Ferret. The comparatively valueless ring which Conyers had

really purchased, could not be found, and before Mr. Ferret, instructed by Mr. Lumsden, appeared in his behalf, the unfortunate young man had frankly stated that it was impossible Marks could have given him the “brilliant” ring, in mistake for the other. He was consequently committed for trial, and albeit that I as much as possible avoided criminal cases, Mr. Ferret prevailed upon me to appear for the defence, both the then leaders at the Old Bailey, Alley and Adolphus, a most unusual circumstance, having been retained for the prosecution!

It will be seen by this *résumé* of the case, that upon the face of it Mr. Lumsden was not in the slightest manner, either directly or indirectly, implicated therewith : lynx-eyed Mr. Ferret had, however, chanced upon some faint indices, pointing to a contrary conclusion. Mr. Lumsden professed to be totally unacquainted with even the persons of Lawrence and Marks ; which was no doubt true, as regarded the picture-dealer, who moreover had, it seemed, as far as he was concerned, acted *bond fide* in the affair, and, as he readily explained, had refused to advance Mr. Conyers money by the recommendation of Marks, who told him that if he did, the clever but dissipated artist would not probably work another hour at the pictures till the last shilling of the money so obtained had been spent, squandered ! But Marks, Mr. Lumsden did know, unless a clerk of Ferret’s was grossly mistaken, which I thought quite

likely; or as possibly, if not as probably, had invented or imagined an incident which he knew would chime in with the foregone conclusion of his employer's mind. This clerk, who had been for several days the constant but unnoticed shadow of Mr. Benjamin Marks, declared that he saw Messrs. Lumsden and Marks speak to, whilst swiftly passing, each other in Fleet Street, where Marks had been sauntering for some time before the print shops, but all that while eagerly observant of the vehicles that stopped near him to put down passengers; a watchfulness at length rewarded by the sight of Mr. Lumsden, who got down near Crane Court, walked swiftly on, and the clerk was positive slipped something—a purse or a paper—into Marks' ready hand. To be sure, the clerk had never till then seen Mr. Lumsden, but when pointed out to him the next day by Mr. Ferret, he without much hesitation declared him to be the gentleman at sight of whom, as he quitted the hackney coach, Marks' black eyes had lightened with a recognising intelligence!

This perplexing, vaguely suggestive fact, supposing it to be one, was about the only tangible circumstance that Mr. Ferret could adduce in support of the fantastic suspicions which his imagination had conjured up, till three or four days previous to the commencement of the Old Bailey Session. His restless zeal in behalf of Martin Conyers, in whose favour he after every interview with the inculpated

gentleman, seemed to be more and more inveterately prejudiced, made him acquainted with a secret which he believed, though he would have found it impossible, had he been so minded, to have given an intelligible reason for such belief, had a direct bearing upon the case, and threw a new and startling light thereon: this —That Joshua Lumsden, Esquire, of Portland Place, was not the wealthy man report gave him out to be; was, *au contraire*, on the brink of bankruptcy, of waddling “a lame duck” out of the Stock-Exchange Alley, where he had so long triumphantly spread his plumes and floated buoyantly upon the turbid sea which hissed and roared above so many human wrecks: should not help—mighty help—the absolute command of many thousands of pounds—reach him within a fortnight or three weeks at farthest!

“Now, as a drowning man,” added Samuel Ferret, after rapidly imparting this intelligence, which, by the by, he had obtained of a brother attorney and intimate friend, whom a large creditor, anxious to obtain security of Joshua Lumsden, Esquire, had consulted upon the likeliest mode of securing that desideratum—“Now a drowning man would, in my opinion, as readily catch at a rope as a straw, and”—

“Mr. Lumsden,” said my clerk, partially opening the door, “wishes to see Mr. Ferret, who he has been informed at the office was here.”

Ferret nodded acquiescence, and I bade the clerk desire Mr. Lumsden to walk in.

"Talk of the devil," said Ferret—"but mum, here he is."

Mr. Lumsden came in with a weight of woe in his slow, emphatic foot-fall; a depth of despair in his rigidly religious features, which, as acting, was admirable, and but faintly word-rendered by—

"Ah sir! ah gentlemen! But three clear days, and that unhappy boy! And only two and twenty! I have just seen a copy of the calendar: 'Martin Salacete Conyers, 22, well educated.' Dear me, dear me, but man is born corrupt, and desperately wicked. I called at your office," added the sleek and solemn gentleman, "to ask if you knew, if you had heard of anything that might warrant but a slight, the slightest hope of a happy deliverance from the calamity, the shame suspended over us as by a single hair?"

"Forty-eight hours," retorted Ferret—his tone was that of a retort, and a very snappish one, "forty-eight hours, sir, and it is full as many since I saw you, whisper many and strange things in my ear; one whisper I may mention, as an instance, assures me that next settling day at the Exchange will witness a notable downcome, unless mighty help should by that time reach a certain person from the clouds, or likelier, from the bottomless pit! You seem to know whom I mean," added Ferret, with his sharp, arrowy eyes unswervingly fixed upon the white face of his auditor, "and fear, perhaps, to suffer damage by the catastrophe."

"No, sir—no, Mr. Ferret," stammered Lumſden, wrenching himself away from the attorney's searching gaze. "No: my affairs, thank heaven, are in my own hands. But it is not of general or business topics I would speak. I asked you if anything had come to light in connection with the fate of Martin Conyers?"

"Martin Salacete Conyers," said Ferret quickly. "By-the-by, and the remark has been upon the tip of my tongue a hundred times, Salacete is a very odd baptismal name; has he any relative of that name?"

"Relative, Mr. Ferret? relative, sir?" replied Mr. Lumſden, with obvious discomposure; "no, sir, not that I am aware of; no, certainly not."

"Ha! still a remarkable, out of the way name, is it not? That of a godfather, possibly, eh?"

"Not that I am aware of, Mr. Ferret," replied Lumſden, with reviving dignity and coolness.

"No! well, poor fellow, a few days hence it will matter little to him whom he was named after."

"You do not surely apprehend," exclaimed Mr. Lumſden, with real trepidation—"You do not surely apprehend that the—the last—the—the capital penalty will be enforced?"

"No, no, God forbid! Our criminal courts are not quite such shambles as they were a few years since, thanks to Romilly and others. Your step-son has nothing worse than 'civil' death, as it is termed, to dread."

"That is, he will be dead in law, the capital sentence having been recorded against him, though all the while very thoroughly alive," exclaimed Lumsden, with an expression of relief, tinged, so to speak, by a tone of jocularity.

"Precisely that; could not, for example, inherit half a million of money, should an uncle or aunt, a godfather or godmother, take into his or her head, should have *taken* it into his or her head, to bequeath him a trifle of the kind. To be condemned to 'civil' death, such a contingency as that supervening would be, you, Mr. Lumsden, I perceive agree with me, a most exasperating calamity."

"Upon my word, Mr. Ferret," said Mr. Lumsden, as he rose from his chair and endeavoured, not very successfully, to assume an impatiently-indifferent air and tone, "you ramble strangely this morning from the subject upon which I called to speak with you. I conclude, however, that you have nothing of importance to communicate through me to Mrs. Lumsden, respecting her son, and I shall therefore bid you good day." Mr. Lumsden thereupon bowed separately and solemnly to both of us, and departed.

The reader will have seen that I played mute during the foregoing dialogue, not, however, an unob-servant one; and the effect upon my mind was a clearer, though yet cloudy appreciation of Mr. Ferret's suspicions. As to Ferret himself, he was off at once to Newgate.

"Perhaps Conyers knows something about Salacete," he exclaimed, as he pulled on his gloves and adjusted his hat. "An odd, very odd name, curious that it never before occurred to me to ask how he came by it. One thing," he added pausing in his hasty exit, and sharply facing me,—"one thing you, sir, may depend upon, which is, that I will never again have anything to do with defending interesting prisoners accused of unaccountable felonies. I am so haunted by this incomprehensible affair that positively I can think, dream of nothing else. I must have dreamed of this Salacete, or the name would not be buzz, buzzing in my brain as it does. Well it is but another stone to turn, and if there's nothing underneath, it can't be helped. Good-bye."

He was back in about two hours, and, as he always did when excited, came up the stairs three or four at a stride.

"Not gone out I am glad to see! Well, I have found out something about Salacete! He was a sweet-heart of Charlotte Marchmont's before she became Mrs. Conyers: match disapproved of by old Marchmont, and Salacete sailed with a broken heart and a cadet's commission for Bombay. Yes, and Salacete knew Lumsden intimately. They were schoolfellows together, and regular cronies when the distracted lover sailed for India. Martin Conyers, senior, was also upon friendly terms with Salacete, Ernest Vavasour Salacete—grandissimo names, ch?—and it was at

his suggestion, and as a sort of peace-offering, the young fellow cooped up yonder believes, that he, the said young fellow, was baptized Salacete. Perhaps also," Mr. Ferret went on to say, "perhaps also, for such vulgar considerations *are* sometimes found mixed up with and qualifying the most double-refined sentiment, Conyers senior had a presentiment that the name, combined with Ernest Vavasour Salacete's dream-memories of Charlotte Marchmont, might one day make his son heir to the hoards of an old yellow nabob! I have sent a clerk off to Doctors' Commons, so I shall soon know if that presentiment has been already realised."

" You imagine then that Mr. Salacete may have recently died, and bequeathed a large fortune to young Conyers! A bold presumption truly; but supposing it realized, how could it affect Mr. Lumsden?"

" How! Bless me, how dull we are to-day! Is it not possible—just possible, I say, that Joshua Lumsden,—Ernest Vavasour Salacete's old crony,—may have been left trustee under his will, if there be a will, eh? O, to be sure, shrug your shoulders. I am dreaming of course; but never mind, if I *am* dreaming, and I am by no means sure that I am not, my dreams won't, legally speaking, damnify us. And only observe," briskly continued Mr. Ferret,—" you are not, I know, particularly busy for half an hoar, and my clerk will be here presently from

Doctors' Commons. By the way, have I told you that Mrs. Thornley, old Sir Jasper's daughter-in-law, has given birth to a bouncing boy ; and of the grand doings at Compton Castle, in consequence ? No ! —well it's quite correct then : I am going down directly this tormenting business is settled one way or the other. But where was I, in *re Martin Salacete Conyers* ? I have it. Only observe, I was saying what a brilliant thread of romance runs through this affair : Ernest Vavasour Salacete, a young gentleman of great merit but slender means, falls desperately in love with the amiable, beautiful, and so on, Charlotte Marchmont ; the old hunks of a flinty-hearted father, —which of course all fathers are,—cruelly sunders their young hearts ; the convulsed Salacete departs, tearing his hair and beating his breast, for India ; whereupon the equally distracted damsel, reflecting that the wide ocean roars between them, consents to martyr herself in matrimony to Martin Conyers, Esq., a gentleman of large income, and a handsome, worthy fellow withal, if his son's word is to be taken, even with allowances. After about twenty years, Conyers, husband, dies, and, a considerable aggravation of the calamity—with him, his large income. Ernest Vavasour Salacete is still somewhere in the Pacific : perhaps, men being proverbially fickle, married and the father of a family ; but Joshua Lumsden, Esq.,—smooth-spoken, specious Joshua Lumsden,—whom Charlotte Marchmont once upon a time refused with

a girlish thoughtlessness and disdain which he has neither forgotten nor forgiven, and would give half a million if he had a whole one, to be very thoroughly revenged of,—is close at hand, and after a decorous interval, ventures to intimate that the pristine flame, smothered in its own smoke whilst Conyers lived, has been fanned by the hearse plumes which waved over that lamented husband's coffin into unquenchable fierceness ; that he, Joshua Lumsden, is, moreover, very wealthy—not the only lie by a thousand that he has told I'll be sworn—and—and—. Well the upshot is, that the interesting relict is legally appropriated by Joshua Lumsden, to the dreadful discomfiture of aforesaid interesting relict when she finds out, and it does not take long to find out, what a delightful gentleman she has become the cherished appendage of. The sequel of the story is yet to come ; and here I hope is the interpretive heading to a new, and last chapter,” added Mr. Ferret, snatching a note from the hand of my clerk before the words—“ For you, sir,” were fairly out of the man's mouth.

The note was from the clerk who had been deputed to search the will-register at Doctors' Commons ; and I could read its disappointing contents in Ferret's face as quickly as his eye ran over the written lines.

“ No will there it seems,” he grumbled, as he crumpled up the note and thrust it into his pocket. “ I suppose then I *am* fooled by my imagination ; though that is an article, which if I had taken an in-

ventory of self, I should certainly not have put down amongst the miscellaneous contents. Why then did Lumsden change from white to red, and red to white twenty times this morning whilst I was talking of godfathers and Salacetes, civil death and legacies? I shall persevere a little further yet. Ci-devant Charlotte Marchmont, and now for her sins Mrs. Lumsden, can, if she chooses to do so,—and she will choose to do so if her son may possibly be helped thereby,—can tell me more about this same Salacete, if I can contrive to see her alone; and I will contrive to see her alone;” he added, vehemently. “Good afternoon, sir.” And away bustled Mr. Ferret.

He did contrive, after a good deal of manœuvring, to see Mrs. Lumsden alone and heard from her that Ernest Vavasour Salacete, after whom her son had been named, was, she knew, alive, though in failing health, not very long since, as she had received a letter from him about six months after her marriage with Mr. Lumsden, dated Madras, “and written,” said the unhappy wife, with a faint blush and smile, that struggled for a moment with her fast falling tears, “under the impression that I was still a widow.” In that letter Mr. Salacete stated that he had realized a large fortune, in a civil capacity, Mrs. Lumsden understood, and intended returning to England as soon as he could wind up his very complicated affairs. She had not heard from, or of him since, although she

was morally sure, from various, circumstances, that Mr. Lumsden had since then been in frequent communication with him. She did not remember to have heard him speak of any relation, except the bachelor-uncle, long since dead, by whom he was brought up and educated; but Mr. Ferret would, she suggested, be sure to obtain tidings of him at the East India House; he being, she had heard Mr. Lumsden say, a very large proprietor of stock. Mrs. Lumsden promised secrecy both as to her interview with Ferret, and the purpose for which he had obtained it; and the attorney betook himself without delay to Leadenhall Street, where he ascertained that Ernest Vavasour Salacete had died at Madras when on the point of embarking for England; and that it was believed, that by a will forwarded not many days before his death to Joshua Lumsden, Esq. of Portland Place, the whole of his property, which had been realised, and invested in the Company's stock, had been devised to that gentleman, although Mr. Lumsden had as yet, for want of some attesting formality which could only be remedied at Madras, abstained from taking out probate on the will;—with other particulars unnecessary to be here set forth.

Mr. Ferret's excitement whilst relating this important discovery, as we both deemed it, to me, was intense, and fairly carried me away in the direction of his own persistent conclusions. Why this silence —this mystery about Mr. Salacete's will?—why above

all did Lumsden have recourse to a subterfuge the other day, when asked if Conyers had a godfather or relative of the name of Salacete? Could it be,—and that it could be seemed to gleam out at the crevices of the cunningly contrived plot,—that he, the embarrassed stock-speculator, had conspired with the Jew Marks to compass the destruction, the civil death of his step-son, in order to avert commercial, social ruin from himself? There was a startling likelihood in that hypothesis, becoming more and more vivid as Mr. Ferret, confirmed in his own foregone conclusion, passed eagerly in review, and commented upon a number of incidents, slight, intangible separately viewed, but as a cumulative whole very significant; that had first suggested a suspicion of the true state of the case to his own mind. Then followed a consultation as to the most promising plan for converting that suspicion into a proveable certainty;—a knotty problem-insolvable by any expedient I dared to recommend, though I will not say that the device which Mr. Ferret had subsequently recourse to was not spoken of as one, that if professionally practicable, might be attended with the best results; neither can I deny that the peculiar look which shot out from under Mr. Ferret's knitted brows, at the mention of that device, coupled with the immediate cessation of our consultation on the proper course to be pursued under the very difficult and embarrassing circumstances, left me in but slight doubt as to the decision in

the case taken in the zealous attorney's court of conscience.

"And now;" said Mr. Ferret, with, I further admit, an air and accent as if I had openly, and in terms endorsed that decision; "and now, with reference to another hitch in professional etiquette. Unquestionably poor Conyers is my client. There can be no question that it is he whom I am bound to defend against all comers; whether the assailant be an open manly foe, or a sly, double-dealing traitor. It is, however, equally undeniable that Lumsden has furnished the funds for defending his step-son against his own diabolical machinations. Hence arises a delicate and serious question. Am I justified, seeing I am about to do my best towards convicting Lumsden of subornation of perjury, in retaining possession of the fellow's money?—or ought I to—to—"

"To give it back to him, you would say? Yes: I think you ought to do so."

"Well—but confound it, the sum is a large one; and my client Conyers may not, after all, inherit under Salacete's will!—A very considerable sum," added Mr. Ferret, with a sharp glance at the endorsement on the brief.

"I shall willingly return you my fees."

"Will you, indeed? Come, that simplifies the affair, and makes 'paying back,' a much pleasanter process. It shall be done, too, directly certain facts

have been quietly ascertained, and we may without imprudence let the old fox know the hunters are beating up his cover. But the precious moments swiftly pass; and what my hand has found to do must be done at once, and with all my might. Bless my soul, it is already just upon half-past twelve, and Lumsden returns home from the city by half-past three! Only three clear hours!—and to-morrow a true bill will be found! Well, *nil desperandum*. Three hours diligently employed may make these odds all even yet. Good day. I shall look in again and, I hope, report progress, before I sleep.”

It was not yet three o'clock when Mr. Ferret again made his appearance and reported progress with a vengeance! Upon leaving me he had forthwith hastened to Portland Place, inquired for Mr. Lumsden, and when told, as he well knew he should be, that that gentleman was not at home, said in that case it was requisite he should see Mrs. Lumsden. He saw that lady; and with as much preparatory periphrasis as his eager temperament permitted, imparted to the fearfully-listening wife and mother his own impression of the devilish game her husband was playing — the stake whereof was her son's life!

Mrs. Lumsden was so terribly bewildered as well as agitated by what she heard, that nearly an hour of invaluable time had slipped away before Mr. Ferret could succeed in making her comprehend the true

position of affairs, and the pressing necessity which existed for prompt, resolute action on her part if she would save her son : “ And,” added Mr. Ferret, “ at the same time save your husband from the extreme penalty that will else overtake him ; for be assured, madam, that if you fail your son in this extremity, I will not ; and that sooner or later I shall succeed in plucking down vengeance—ruin—utter, irretrievable ruin—upon the conspirators who have hunted my client into their toils ! ”

“ But what shall I do ? ” sobbed the distracted lady. “ What—what to the purpose *can* I do ? Mr. Lumsden’s private papers are locked up in his secretaire, of which he never parts with the key. Alas ! alas ! my son,” she added, as she paced to and fro the apartment, wringing her hands, “ your mother can only aid you with her prayers ! ”

“ Work, madam, is prayer,” retorted Ferret : “ especially a work of mercy—of justice, and of far greater efficacy than wordy strivings for your son’s deliverance. Act as God, through your mother’s heart and conscience, commands you to act, and all will yet be well, I have a strong hope, with your fearfully-imperilled son.”

“ What shall—what can I do ? ” again ejaculated Mrs. Lumsden.

“ Listen to and observe me, Mrs. Lumsden, and you will know what to do. This writing-desk is yours,” continued Mr. Ferret, with a calm audacity

which surprised himself: “it is now unlocked, open, and—”

“Yes, yes,” interrupted the lady, “but it is not there Mr. Lumsden keeps his papers.”

“Have the kindness, my dear madam, to hear me out. This desk, I repeat, is now open; but see, I close, lock it, and there goes the key out of the window. Now then, to reopen your desk, the key being lost, you will have to send for the nearest locksmith; and this may as well be done directly I leave the house, as I am about to do for ten minutes or a quarter of an hour—not more than that. When the locksmith has arrived and has opened your desk, you may remember that another desk—a secretaire, more correctly—also requires to be opened, and—”

“Mr. Lumsden’s secretaire!” broke in the terrified lady; “gracious heaven, I dare not! It would be—be—”

“It would be doing nothing illegal, madam,” interrupted Ferret. “The words of the marriage ceremony spoken by husbands, videlicet, ‘With all my worldly goods I thee endow,’ have a large potency, and include not only keys and secretaires, but deeds, wills, in so far, at all events, that a wife may if she please permit herself or another to read and take a copy thereof; which is all, you understand, Mrs. Lumsden, that in this case would be required.”

Having thus delivered himself, Mr. Ferret, declining further parley, left the house, and had soon

the satisfaction of seeing a footman come out, and in a very short time return with a man, whom the attorney doubted not was a locksmith. The workman quickly accomplished the task required of him, and he was no sooner gone than Mr. Ferret again presented himself, and requested to see Mrs. Lumsden.

His instructions had been carried out, and Mrs. Lumsden held in her shaking hands Mr. Salacete's will, which as he entered the room, she, with a cry of grief and shame, cast upon the table, and covered her face with her hands, as if afraid to look upon the damning evidence of her cruel husband's guilt. The testator had bequeathed the bulk of his wealth to Martin Salacete Conyers, in trust for his mother, Charlotte, daughter of the late Jonathan Marchmont, Esquire, of Langham Place, Oxford Street, London, during her life; and at her death, one-half to himself, and the other moiety to be disposed of as the said Charlotte should by will determine. In the event of Martin Salacete Conyers' death, Joshua Lumsden, the said Charlotte's second husband, was to be sole trustee and executor under the will; and the entire property was in that case left at Mrs. Lumsden's testamentary disposition.

This is a sufficient summary of the important document, that Mr. Ferret, as soon as he had mastered its contents, gave back to Mrs. Lumsden, who immediately replaced it in her husband's secretaire, which with a key fitted by the smith she relocked: Lumsden

would consequently remain in ignorance of what had been done, till at a sign from Ferret or myself, the thunderbolt should fall upon his head !

Yes, but how to contrive and bring into action the conductors that should discharge the avenging lightning upon that guilty head was withal the question that Mr. Ferret's audacious enterprise left still unsolved. True, it was now clearly apparent that Lumsden would be saved commercially by the capital conviction of his step-son. The very large realised personality that would instantly vest in him as trustee, would not only snatch him from the brink of imminent ruin, but having to deal with so facile and timid a nature as his unhappy wife, place him in a position of permanent affluence. Yet these consequences, positive and probable, could not be pleaded in bar of an indictment for felony—for robbing a Jew, named Benjamin Marks, of a diamond ring—in which prosecution, moreover, Joshua Lumsden did not appear, except as a lavish contributor to the cost of his step-son's defence !

Much, then, remained to be done if Martin Conyers was to be rescued from the gripe of the blind, iron law ; and before twelve o'clock that night much *was* done in effectual furtherance of that righteous purpose. How the restless, untiring attorney had been employed during those eight or nine hours, the scene which took place at my chambers the following morning will in all important particulars sufficiently disclose.

A note had been forwarded to Mr. Lumsden, requesting him to call at the Temple on his way to the City ; and punctually at eleven o'clock he presented himself, carefully made up, both in dress and demeanour, for the part of a profoundly-afflicted Christian gentleman, which he had to perform during the now few and fleeting scenes that remained to go through with till the curtain fell upon the "civil death," if no worse, of his erring step-son !

The stockbroker saluted me with elaborate courtesy : Mr. Ferret, who was looking very pale and fierce, and whose compressed lips remained inexorably closed, as if nailed together—coldly, distantly. He then, at my invitation, seated himself, and awaited silently—in silent trepidation, quite visible, through all his assumption of anxious indifference, so to speak—till Mr. Ferret's tongue should interpret the enigma of his looks. He was not long kept in suspense.

" My client, Martin Salacete Conyers," said Samuel Ferret, " requests me to return Mr. Lumsden the money with which that gentleman furnished me towards defraying the law-costs of his defence against a fabricated charge of having robbed one Benjamin Marks—an infamous but now happily repentant villain—of a valuable ring. Here," added the attorney, " is the precise sum in notes and gold."

As these ominous sentences fell upon Lumsden's ear, a corpse-like pallor overgrew his visage, and his

glaring, dilated eyes watched Ferret's as one, incapable of fleeing, might those of a serpent, whose deadly folds he, in apprehension, felt to be already closing round him.

“What is this?” he said, after a painful pause and with a strong effort at self-possession; “what is this, Mr. Ferret? A lawyer return money, and—and at the request of Martin Conyers, who——”

“Martin Salacete Conyers,” interrupted Ferret.

“Well, yes, I know—Martin Salacete Conyers. What then? I have not grudged, do not now grudge the money.”

“Nevertheless, Mr. Lumsden,” said I, “it must be returned. It is also fair to state that I and Mr. Ferret are now in a certain sense acting against you.”

“Acting against me!—against me, gentlemen!” exclaimed the guilty, conscience-stricken man, rising from his seat, sitting down, and getting up again with uncontrollable nervous excitement; “this is surely a jest.”

“It is no jest, Mr. Lumsden, that your step-son, as trustee under Mr. Salacete’s will, is——”

“Damnation!” screamed Lumsden, dropping into his chair, and clasping his forehead with both hands.

“Martin Salacete Conyers,” I resumed, as soon as I judged he was sufficiently recovered from the stunning weight and suddenness of the blow to follow my meaning, “Martin Salacete Conyers, I was about to say, is under that will in a position

to amply provide for the exigencies of his own defence, were defence necessary, which happily is no longer the case, the Jew Marks having abandoned the charge which he was heavily bribed to prefer, and——”

“He lies! the scoundrel lies!” shouted Lumsden, starting to his feet, and confronting us with fierce bloodshot eyes.

“You anticipate me, Mr. Lumsden: I had not said *you* bribed him!”

The wretched man continued to glare at me for some minutes without speaking, his trembling limbs with difficulty supporting him the while, and again fell with a despairing groan into the chair.

“Shall I touch the bell?” said Mr. Ferret; I nodded assent, and, as previously arranged, Benjamin Marks entered the apartment, accompanied by two of the attorney’s clerks.

“Look up, Mr. Lumsden,” said Ferret; “here is a gentleman and a friend of yours.”

Mr. Lumsden did look up, recognised Marks, and a savage curse surged through his clenched teeth and ashen lips.

“Oh! it’s very ungrateful of me, I dare say!” exclaimed the Jew, “to forget that you gave me a hundred pounds to help you, as I now find, to a hundred thousand or more. I shall perhaps get thrice that for telling the truth, which is an article I prefer dealing in when there’s a decent profit hanging to it.”

At Ferret's request Marks repeated the confession which on the previous evening he had been partly terrified, partly cajoled into making. It was substantively that he had been employed by Mr. Lumsden, whom he had long known, to entrap young Mr. Conyers into the actual commission of a crime, but that, upon consideration, being despaired of, to invent and prefer the charge upon which that gentleman had been arrested.

Lumsden—whose eyes, whilst the Jew was speaking, were fixed upon the floor, save during a momentary access of irrepressible rage, when he darted at his accuser a look of ferocious hate and scorn, which that worthy repaid by one to the full as fierce and disdainful—answered not a word till Marks was gone accompanied (guarded, rather) as he came. The stockbroker then, gathering calmness and resolution from despair, said, “My head is, it seems, in the lion's mouth, and it would be useless, therefore, to either lie or bluster. What is it you propose to do? Hardly, I should think, to—to transport Mrs. Lumsden's husband!”

“I don't know that,” sharply rejoined Samuel Ferret; “and I am sure we could not do that lady a greater service.”

“In return for betraying her husband,” retorted Lumsden: “I feel confident she has done so; though by what means I can but dimly guess. She will tell me, perhaps, when I get home,” he added,

gnashing his teeth with passion ; “ and then I—I—But pray, gentlemen, proceed ; do your office : you have me on the hip.”

“ If you mean by home the house in Portland Place,” said I, “ Mrs. Lumsden must have left that by this time, and for ever.”

“ Ha ! But no, no ; it is not true : she dare not—dare not——”

“ Pooh, pooh,” exclaimed Mr. Ferret, “ Mrs. Lumsden has nothing to fear from Benjamin Marks’s employer and accomplice. Recollect your position, sir—that of a perfectly-qualified candidate for Newgate ; and let us have no more airs and fury. Mrs. Lumsden, who could hardly be expected to live with the intentional assassin of her son, is beyond your reach and power, and has, moreover, taken with her Mr. Salacete’s will made in her favour. And now stamp and roar again, and much good may it do you.”

“ I am at bay, and helpless—disarmed. What is it you propose to do ? what do you require of me ?”

“ That you immediately sign and seal this deed of separation between yourself and wife.”

“ Sign—seal that ! Well, be it so. Give me a pen.”

“ Anything more ?”

“ No, except to remind you that no statute of limitations can be pleaded in bar of a crime, such, for instance, as subornation of perjury ; that it cannot, moreover, be condoned ; and that it will be prudent,

therefore, in Mr. Lumsden to carry himself circumspectly, especially towards Mr. Conyers and his mother."

" Anything more?"

" Nothing more—for the present."

Late in the evening of that day Joshua Lumsden perished by his own hand during an access, according to the verdict of the coroner's jury, of temporary insanity, superinduced, it was generally believed, by his reverses upon the Stock Exchange, which, had he lived, would have compelled his appearance in the Bankruptcy Court. Truth, but not all the truth.

The bill preferred against Martin Conyers was ignored, and upon my application to the judge, he was forthwith discharged, his lordship adding, after glancing at the affidavit filed by Mr. Ferret, which embodied Marks's confession, that he hoped a prosecution of that person and his abettors would be immediately instituted—a course which, I hardly need say, it was not intended to adopt.

## *Experiences of a Barrister.*

---

### **•LUCILLE BÉRANGER.' ~~~~~**

It will be strictly in accordance with the general scope and purpose of these records of English forensic experience, and not I think likely to be unacceptable to my readers, if I subjoin the narrative of a French case communicated to me by a distinguished member of the Paris bar, who, though not himself professionally employed in its investigation, had, through his intimacy with M. Planchette, of Poitiers, peculiar means of acquiring exact information in the matter. Apart from the interest which attaches to the case

itself, the contrast of French criminal procedure with the march of justice in English courts may not be without its instructive value.

Poitiers, the chef-lieu, or as we should say, the county town of the department of Vienne, France, which occupies so brilliant a place in English history, is in itself a dull, uninteresting town enough, and overlooks, from the brown and barren eminence upon which it is built, an equally dull, uninteresting country. One of the chief industries of the place is, or was, the manufacture of coarse woollen and hempen goods, and the greatest capitalist engaged therein some forty years ago was one Adam Sellon, bachelor and miser, *par excellence*, who, dying suddenly in 1819, the whole of his accumulations—over a million and a half of francs—sixty thousand pounds sterling, and in France a colossal fortune, fell to Eugène Sellon, his nephew, and only known living relative. This young man, an orphan from infancy, and then about five and twenty years of age, had never till the day which saw him a millionaire, been the possessor of a five-franc piece, eaten save of the coarsest scantiest fare, or been better, if so well clothed as the worst-paid worker in his uncle's factory. The transition was necessarily a bewildering one, and it was a considerable time before he could feel his feet in his new and giddy position, albeit that the crowd of friends who hastened to his assistance unanimously affirmed that *le jeune Sellon*

was a person of singular capacity and aptitude, a veritable gem of finest water, shamefully buried for so many years in ignoble obscurity, and requiring nothing but the polish of society and the regulating companionship of a suitable wife, to shine out with dazzling lustre. If the *nouveau riche* did not obtain the polish promised him quite so soon as might have been wished, the number of “suitable wives” offered, not so directly as less precious wares we may hope, for his acceptance, was, measured by the population of Poitiers, prodigious; every one of them amiable, perfectly well-bred, and of angelic temper; and it could only be from the difficulty of selection amongst such a bevy of beauties, that, full fourteen months after his uncle’s decease, Eugène Sellon was still unappropriated, though that catastrophe was then imminent, if rumour, which had so reported twenty times before, could be believed.

This time, however, the report had some foundation in truth; albeit, whether that partial truth would be consummated, perfected by the supreme fact of actual marriage, was still a perplexing question to Eugène Sellon himself. Not that his own mind was not thoroughly made up, nor that he any longer feared refusal from the ruby lips of Mademoiselle Julie Dufresne, for that charming maiden had that very morning accepted the offer of his hand, and the wealth which that hand conferred, with an angel smile of sweetest condescension, that still played

like sunlight about his heart, and did much to calm and still its anxious beatings as he strode homewards from the decisive interview with his beautiful, confiding *fiancée*. And what caused those anxious heart-beats? whence came the quite visible gloom upon Eugène Sellon's brow, fairly disputing place and possession, like the alternating sun and shadow of an April day, with the glad brightness that should have rested there? Had conscience, the still small voice that would be heard even through the prophetic echoes of marriage joy-bells, anything to do with it? We shall see by and by; but assuredly Eugène Sellon, if his word could be taken, did not recognise the voice of an accusing conscience as the cause of the agitation which he felt to be ridiculous, but nevertheless could not subdue, away with! Certainly, he might repeat to himself, certainly there is no legal impediment to my union with Julie, nor any moral obstacle either, although—Well, he would confide everything to the Advocate Planchette, and be governed by his counsel; and, so resolving, he knocked at that gentleman's door, found him at home, settled the conditions of the *contrat-de-mariage*, as previously outlined by himself and Madame Beaupart, Julie's aunt, and then confided the ridiculous cause of his embarrassment to the smiling but attentive lawyer; but did not, I think, judging by subsequent occurrences, make quite a clear breast of it, or wary M. Planchette might not have treated the affair so

lightly. “A mere folly!” he said, “mon cher Monsieur Sellon, which it is impossible to treat seriously; but to prevent future marital misunderstandings, it will be well I think that you give Lucille Béranger her *congé* forthwith; with a *douceur* sufficient to soothe any possible irritation, which, though absurd enough under present circumstances, might not be for that the less painful and violent. Lucille will dry her tears, take my word for it, when she finds nothing is to be had by shedding them, or I misread the sharp, decisive expression of her comely though masculine face, and bold, dark eyes. She will marry, too—well, it strikes me—though the ambitious hussy has this time missed her mark. If,” added M. Planchette, “she threatens law, though I do not gather from you that she has the slightest ground for doing so, you can refer her to me you know.”

It is not very likely that the advocate, or barrister’s, off-hand disposal of a matter which, whatever he might pretend, pressed somewhat sorely upon Sellon’s conscience, did much towards dissipating the contracted bridegroom’s uneasiness, but it certainly determined him to come at once to an understanding with Lucille Béranger, to whom, he declared to M. Planchette, he had not spoken, except upon strict matters of business, since his uncle’s death; nor before that addressed her with one positive word of affection, which, in truth, he had never felt, nor with one binding promise.

“Positive” and “binding” are, however, words susceptible of various interpretation, and the reader’s estimate of Eugène Sellon’s moral obligations, in regard of Lucille Béranger, may differ from his own, after the perusal of the following dialogue, furnished, it must also be borne in mind, by the young millionaire himself, from recollection, and some months after it took place:—

Immediately on reaching home Eugène Sellon sent a message to Lucille Béranger requiring her immediate attendance. Lucille, I must here state, was the forewoman of his establishment, and had had the superintendence of a large force of woman-workers there since she was eighteen years old, and she was now six and twenty. In person she is described as being tall, stout, and very well-looking. Of acute intelligence, moreover, rare industry, serious and reserved in speech and demeanour, and of unquestionable probity. She was a Picardaise, and daughter of a huissier at Amiens; but *not*, that I have heard, even remotely related to the great lyric poet of France.

“Ma’melle Béranger,” said Eugène Sellon, as she, in obedience to his summons, entered his private room, “be seated.”

Ma’melle Béranger, who looked, her employer remarked, unusually pale and excited, did not accept his condescendent invitation, but remained standing expectingly, as it were.

“I have sent for you, Ma’melle Béranger,” he continued, with, he confessed, some embarrassment, and *not* looking her in the face as he spoke. “I have sent for you, Mam’selle Béranger, as—as an old friend of, of the house, to say that I am about to be—married.”

His auditress remained silent, except for her hard, rapid breathing, and chancing to cast his eyes in the direction of an opposite mirror, the young man fairly started back from the fierce visage reflected there.

“This should not surprise you!” resumed Eugène Sellon, again breaking the embarrassing silence; “this should not surprise you, Lucille, since—”

“Not surprise me!” interrupted the woman, “not surprise me! To whom then is Eugène Sellon about to be married?”

“To Mademoiselle Julie Dufresne; a most amiable—”

“I know! I know! And is this shameless perfidy absolutely, irrevocably decided upon?”

“The marriage, Ma’melle Béranger,” replied Sellon, with rallying dignity, “is absolutely, irrevocably decided upon. As to perfidy, shameless perfidy, I should like, *passambleu*, to know whose?”

“Yours! Eugène Sellon’s shameless perfidy, falsehood, cowardice!”

“Mine! me! Woman, you rave! Can you mean to assert that I ever—even long ago, in the old, horrible time—made you any positive promise, seriously gave you to understand that—that—”

"That I should be your wife? Yes, a thousand times!"

"A thousand devils! Why, you—"

"Yes, I repeat, a thousand times. Not so much or often by words, we had few opportunities for indulging in *bavardage*, as by confidential appeals to me to shield you, often by falsehood, from your hard uncle's wrath: for gifts of money, daintier food than you could otherwise command; all, traitor, all, promised to be repaid a hundredfold!"

"Mon Dieu, Lucille, and so they shall be. Here take this billet de banque as earnest of—"

"Since your uncle's death," hurriedly continued the young woman, apparently heedless of his exclamation and offer, "Since your uncle's death I have watched in silence the struggle going on in your breast by honour, duty, gratitude, opposed to pride, selfishness, I suppose I must add love, passion for Mademoiselle Dufresne, the haughty minx whose sole heritage is pride and poverty——"

"Come, come," broke in Sellon, "this is a little too much! Mademoiselle Dufresne must not, shall not, in this place be named with disrespect."

"That not long-doubtful struggle," resumed Lucille, after an interval, during which the fiery rage by which she had been almost convulsed passed gradually away, leaving her strongly-marked features even more sternly tranquil than usual, "That not long-doubtful struggle is decided then! You will marry

Mademoiselle Dufresne ; doubtless, too, you love her, passionately, devotedly?"

"Passionately, devotedly, Lucille ! to folly even ! The happiness of my life, my life itself, depends upon my union with her!"

"*Vraiment* ! Well, then, I felicitate you on your success!"

"Ha ! What then, you consent ! That is, I mean—you do not—"

"Feel angry ? Not at all, I was but jesting ; I have long since felt that the marriage of rich Monsieur Sellon with a poor *ouvrière* was quite out of the question. But you have a *cadeau de noces* for me in your hand, have you not?"

"Yes, Lucille ; a trifle by way of compensation for any—"

"I understand : you are generous, monsieur, *parole d'honneur* but you are ! Upon one condition," Lucille added, "which is that Mademoiselle Dufresne never hears of the sorry jest which we both now perfectly understand to have been a jest, and a very sorry one, I accept your present with gratitude."

Sellon gave the required promise ; and though he did not altogether like the woman's tone and manner, yet as she took the bank-note, and made her exit with a curtsey and a cheerful "*Bon jour, Monsieur : bien obligée*," he concluded, if with some misgivings, that a very disagreeable interview had terminated much more satisfactorily than he could have anticipated.

Eugène Sellon's marriage with Julie Dufresne was celebrated with much (*bourgeois*) magnificence, and the very pretty and amiable bride appeared to be perfectly contented with her new home, her husband, position, and prospects. Her aunt, Madame Beaupart, resided with her by M. Sellon's invitation, and nothing seemed wanting to her happiness. But ladies, young and petted ones especially, are proverbially capricious, whimsical;—subject, constitutionally, to nervous attacks, beyond the ken or resources of pathology,—and, in fact, altogether arbitrary and inexplicable. At least, this was the unction with which the married young millionaire strove to quiet the uneasy feeling evoked by the depression of spirit, that after about two months of wedded life so grew upon his wife, that he was constantly surprising her in tears, which she would then instantly, and with affected levity, brush away; be for a while, wildly, boisterously gay, and generally wind up with a fit of hysterical passion! He could obtain no explanation of all this, other than that, as before observed, lowness of spirits and hysteria are sometimes constitutional, and result from no other cause than causeless lassitude and melancholy; for which evils Madame Beaupart consolingly suggested, Time was the slow and only remedy. The aunt, who was manifestly in the wife's confidence, as evidently as that the husband was not, knew, that husband grievously suspected, more of the origin of

Madame Sellon’s mental disquietude than she chose to disclose, and was herself, too, affected in like manner, though in a less degree by the same cause, whatever that cause might be: Was it possible, Eugène Sellon asked himself, that Julie repented of her union with him? Could it be, as venomous gossip tongues had hinted, that she married him from venal motives, and now, too late, found that in espousing wealth she had wedded herself to gilded misery? This darkening dread was fast settling upon his brain, when circumstances clothed it with apparent proof.

The elegant *maison de campagne*, which he had purchased, and fitted up at extravagant cost for his wife’s abode, was about a league distant from Poitiers, and Monsieur Sellon, a methodic business man, left Le Bocage every week-day at ten o’clock, returning punctually in time for dinner at six. As winter drew on, darkness was consequently falling before he reached home, and in the beginning of November he intimated that for the future he should leave Poitiers, so as to arrive at Le Bocage at five instead of six o’clock. This occurred on a Sunday, and Madame Sellon, who was reclining listlessly upon a couch, instantly starting up from her recumbent posture, exclaimed, impulsively, “At five, dost thou say?” “Yes; but not to-morrow, *mon ami*, not to-morrow!”

A sharp look from Madame Beaupart checked her

speech, and mantled her pale cheeks with accusing blushes.

"The Bissons," presently remarked the readier aunt, "dine with us to-morrow, and it would be awkward to change the hour at which they are invited to be here."

"Do not think of it," replied Sellon. "I had forgotten the Bissons."

No more was said, and the next day Sellon left Le Bocage at his usual hour; his manner, throughout the day, being, it was observed by more than one person that had business with him, marked by a nervous irritability, which almost incapacitated him for the proper performance of his routine duties, suggesting apprehensions for his bodily health. The source of his excitement was gauged with a truer finger by Lucille Béranger, who had occasion to ask him if he had any objection to her leaving the factory at an early hour in the afternoon, to visit her paralytic aunt at Besor.

"No objection in the world, Lucille, although these visits to thy paralytic aunt have been frequent of late."

Her errand accomplished, the wily woman left the counting-house, but was called back before she had proceeded many paces.

"Thou art a close, and clever observer, Lucille," said M. Sellon, fixing his eyes upon her face, with a piercing expression, "and might, perhaps,----But thou dost not love Madame Sellon?"

“Love Madame Sellon ! How, *mon Dieu*, should I, whom she has never seen, never spoken to, that I know of,—love Madame Sellon — !”

“It was the knowledge that Madame Sellon does not know thee personally, that prompted——; but,” he added, turning abruptly away ; “I will consult thee further hereafter ; I am busy now.”

On the evening of that day, Monsieur Sellon returned to Le Bocage a full hour before his usual time ; and albeit he remarked a certain flurry and agitation in the demeanour of his wife and Madame Beaupart, nothing occurred to confirm the vague terrors by which his mind was haunted.

The next morning, Lucille Béranger presented herself, uninvited, in his private office.

“You made a remark yesterday, Monsieur Sellon,” said she, “to which, I find, upon reflection, that I gave an evasive, and therefore deceitful reply. My present candour shall make amends for that prevarication. Not only do I not love Madame Sellon, but I must be permitted to assure her husband, that I *hate* Madame Sellon ; hate, abhor, detest her with all the force of my soul ! You,” she added, “I should also hate, did I not half pity, and utterly despise you for a sand-blind, infatuated wittol—”

“Malediction ! But you lie ! you lie ! base girl !”

“I speak the truth !—the truth ! Eugène Sellon ! Your wife, I say,—your superb, aristocratic wife, is an adulteress ! Strangle, kill me,” she added,

struggling fiercely in the sudden grasp of the excited husband, “if you will, or can, for proclaiming that truth! It will not be then less true. Look! See! —Trust if you have the courage to do so—your own eyes. Is not this your wife’s writing? Read—read—poor dupe, and curse yourself! I picked it up yesterday near Le Bocage, after having seen it fall from the heedless hand of a young gallant, who had been for some time waiting there—for once, it seems, in vain. The lines dazzle, perceive,” added the woman; “Let me read! The pretty billet-doux runs thus:—

‘I dare not meet thee this evening, *cher Adolphe*. My husband is disquieted; suspicious; but tomorrow at four precisely, I will see thee for a few moments at Les Lauriers. Annette will give thee this, but do not question nor detain her. Thy ever affectionate—Julie.’

“*Eh bien, Monsieur!*” added Lucille Béranger, finding that Sellon spoke not, stirred not, gave no sign of life, save through his flaming eyes, “*Eh bien, Monsieur!* Art thou a *coward*, as well as — Ha! that touches thee. And now having frankly avowed my hatred of thy wife, my joy in her infamy, and thy punishment, I will help thee, even for old times’ sake, to vengeance. I know Les Lauriers, the place of assignation, well!”

The dull wintry day was drawing to a close, when the hapless Madame Sellon,—followed at a distance

by Madame Beaupart, stole towards the appointed rendezvous, a thick grove of laurels, near which had been for some time sauntering a young man in a military undress, and ample cloak, of which the upturned collar concealed his face, except from a very near observer. He had been expecting her presence with evident impatience for some time, yet no sooner had she approached within speaking distance, and, stretching forth her arms, exclaimed Adolphe, *mon chèr* Adolphe! than he started off at the top of his speed, whilst at about the same moment, infuriate, maniacal Sellon, till then concealed by a turn in the plantation, darted towards, and with a ferocious curse discharged a pistol upon her,—and, overpowering by his maledictions the screams of his wretched wife,—hurried after the fleeing destroyer of his peace. The pursuit would have been a bootless one, so swift of foot was the terrified Adolphe, had not the young man, in his terror and confusion, mistaken his course, and ran towards a *cul-de-sac* formed by a ravine between hills. In his desperation he attempted to scale one of the least rugged sides, but was not half way to the top when a second pistol-shot rang through the air, and he fell with a loud shriek of pain, prone upon his face: another minute, and the furious husband was beside his helpless enemy;—had torn away by main force the concealing cloak, and military cap, and discovered the features of—Lucille Béranger!

The Cour d'Assises for the Department of Vienne was crowded to hear the trial of Lucille Béranger, charged in the long *acte d'accusation*, read by the Greffier, with calumniating, and inciting to the homicide of Madame Sellon, *née Julie Dufresne*, by her husband. The trial had been postponed to give time for the complete recovery of the prisoner, from the effect of the severe pistol-wound she had received ; and she still looked pale and weak, though her dark, fierce eyes, flamed with unsubdued, and, it would seem, triumphant, vengeful life. A short transcript from the verbal combat, between the President of the Court and the accused, which is ever the introduction in France to the formal deposition of witnesses, and the gladiatorial displays of counsel, will place the reader *au courant* of all that the current of this narrative has concealed or left in doubt.

" You were aware, then," said the President, " that Madame Sellon had a brother named Adolphe, whom neither she nor Madame Beaupart had seen since he was a child ? "

" Yes, Monsieur le President, and that, moreover, the said brother was under the ban of the Government for political causes. That he had been in fact sentenced to death *par contumace*, as it is called. Having nothing to hope, and nothing therefore to conceal or fear, I am, as you perceive, perfectly frank."

" And you, personating Adolphe Dufresne, suc-

ceeded in persuading the unfortunate lady that you had left England at the risk of your life, to take a first and last farewell of her.”

“For once, and for the last time, to embrace a sister: yes.”

“And your motive for that diabolical conduct?”

“To be revenged upon him who had insulted and betrayed me; upon her who had been the cause of that insult and betrayal! I have succeeded: she is with the saints—if there are any. He is assuredly in hell, as long as he shall live. That is a triumph, victory, which will outtop your sentence! And I pray you to abridge these forms; and pass on to that sentence. I can bear it, whatever it may be.”

Lucille Béranger was found guilty, and doomed to the galleys for life (*Travaux forcés à perpétuité*). The rigour of the sentence did not for a moment subdue the demoniac exultation of her mien, and she was turning fiercely away, when the President, to whom M. Planchette had spoken in an under tone, said:—

“An instant: I have to inform the prisoner that the crime, upon the successful accomplishment of which she shamelessly plumes herself, was an abortive one. Madame Sellon has recovered——”

A cry of uttermost rage interrupted him.

“Madame Sellon,” persisted the President, “has, thanks to God’s good Providence, been restored to perfect health and——”

His remaining words were lost in the savage imprecations of the prisoner, who, mastered with difficulty, was borne off, yelling and cursing, to her cell. She is still, I understand, alive, and undergoing at Brest her well-deserved punishment.

THE END.







JUST PUBLISHED,  
**THE MARRIAGE SETTLEMENT.**

BY WILLIAM RUSSELL,

AUTHOR OF "EXTRAORDINARY MEN," "EXTRAORDINARY WOMEN,"  
"VALERIE DUCLOIS," &c.

In 8vo., Fancy Boards, Price 1s. 6d.—Free by Post  
for 22 Stamps.

*Library Edition, Cloth gilt, 2s. 6d.*

---

SECOND EDITION.

**RECOLLECTIONS OF A DETECTIVE  
POLICE OFFICER.**

BY "WATERS."

In 8vo., Price 1s. 6d., Fancy Boards; or free by Post  
for 22 Stamps.

*Library Edition, Cloth gilt, 2s. 6d.*

---

SECOND EDITION.

**TALES OF THE COAST GUARD.**

BY LIEUT. WARNEFORD, R.N.

8vo., Coloured Boards, Price Eighteenpence; or free by Post  
for 22 Stamps.

*Library Edition, Cloth gilt, 2s. 6d.*

---

